

tain certain sea walls or breakwaters on said lands and to fill in the space between the mainland and said sea-wall or breakwaters with sand, dredge spoil or other material and granting to the City of Corpus Christi the right to take from Corpus Christi Bay such sand, dredge spoil or other material as may be necessary or desirable for filling in such space; and authorizing said City of Corpus Christi to remove and abate any encroachment or structures existing on said property and to bring such suit or suits as may be necessary to carry out the provisions of this Act; and granting to said City of Corpus Christi the right to fix the shipping district and to authorize, purchase, construct, own and maintain piers and wharves and to grant franchises therefor and to construct and maintain slips, into the waters of Corpus Christi Bay beyond said sea walls or break waters and within the territory herein granted, upon the vote of the tax-paying voters of said city, granting the right of eminent domain, and reserving all mineral rights to the State, providing for the appraisement of said land and the sum per acre to be paid for said land and the disposition of said funds, and the issuance of a patent therefor, fixing the time to begin construction and reserving to the State and the United States Government the right to erect wharves, piers and buildings on said land, and reserving the right to place all piers and wharves and the rates and charges thereon under the supervision of the Railroad Commission of the State, and declaring an emergency.

### THIRTY-NINTH DAY.

Senate Chamber,  
Austin, Texas, March 7, 1919.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor W. A. Johnson.

The roll was called, a quorum being present, the following Senators answering to their names:

Alderdice.	Dayton.
Railey.	Dean.
Bell.	Dorough.
Buchanan of Bell.	Dudley.
Buchanan of Scurry.	Faust.
Carlock.	Floyd.
Cousins.	Gibson.

Hall.	Parr.
Hertzberg.	Smith.
Hopkins.	Strickland.
Johnston.	Westbrook.
McNealus.	Witt.
Page.	Woods.

Absent.

Caldwell.	Williford.
Sulter.	

Absent—Excused.

Clark.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Faust.

Excused.

Senator Clark was excused for today and the remainder of the week on account of sickness, on motion of Senator Westbrook.

### Bills and Resolutions.

By Senator Dayton:

S. B. No. 390, A bill to be entitled "An Act creating Maribelle Independent School District in Grayson County, Texas, naming same; prescribing its metes and bounds; and providing for the election of trustees, raising revenue by taxation, issuing bonds and maintaining public free schools therein; and providing for assessing and collecting taxes therein; and vesting all real and other property used for school purposes in said district in said independent district; and declaring an emergency."

Read first time, and referred to Committee on Educational Affairs.

By Senator McNealus:

S. B. No. 391, A bill to be entitled "An Act creating a more efficient road system for Rockwall County, Texas; defining its boundaries, etc., and declaring an emergency."

Read first time, and referred to Committee on Roads, Bridges and Ferries.

By Senators McNealus and Smith:

S. B. No. 392, A bill to be entitled "An Act to amend Article 4737, Chapter 2, Title 71, of the Revised Civil Statutes of the State of Texas, relating to the reissuance of life insurance companies and providing for deposits of securities and additions

thereto, by such companies to be delivered to the Commissioner of Insurance and Banking of the State where the company taking over such insurance has its home office; to repeal all laws in conflict, and declaring an emergency."

Read first time, and referred to Committee on Insurance and Banking.

### Special Committee Report.

Committee Room,  
Austin, Texas, March 7, 1919.  
Hon. W. A. Johnson, President of the Senate.

Sir: We, your committee appointed to arrange for a memorial service in honor of the late Hon. A. R. McCollum, a former member of this body, do respectfully report that we have arranged for such service and recommend that same be held in the Senate Chamber on Wednesday, March 12th, at 4:00 p. m., and that the hour from 4:00 to 5:00 p. m. on that day be set aside for such service and the submission of suitable resolutions of respect and for such addresses and other ceremonies as may be determined upon.

Respectfully submitted,

WITT,  
BAILEY,  
JOHNSTON,

Committee.

The report was read and adopted unanimously.

### Senate Bill No. 247.

The Chair laid before the Senate on second reading:

S. B. No. 247, A bill to be entitled "An Act to amend Article 1121, Chapter 2, Title 25, Revised Civil Statutes of the State of Texas, relating to private corporations, by adding thereto Section 80, providing for the creation of private corporations for the purpose of acting as regularly commissioned and licensed agents of fire and marine, marine, tornado, rent, accident, casualty, liability, health, elevator, disability, plate glass, burglary, bonding, title, surety or fidelity insurance companies, and declaring an emergency."

Senator Hertzberg offered the following amendments, which were read and adopted:

(1) Amend S. B. No. 247 by inserting the article "a" after the word "thereto," line 17, Section 1, page 1, and striking out the figures "80," line 18, Section 1, page 1.

(2) Amend S. B. No. 247 by inserting the article "a" after the word "thereto," line 9, caption of the bill, and striking out the figures "80," line 9 of the caption.

The bill was read second time, and passed to engrossment.

On motion of Senator Hertzberg the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 247 put on its third reading and final passage by the following vote:

Yeas—20.

Alderdice.	Floyd.
Bailey.	Gibson.
Bell.	Hall.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Carlock.	Johnston.
Cousins.	Page.
Dayton.	Parr.
Dorough.	Suiter.
Faust.	Westbrook.

Nays—1.

Smith.

Absent.

Caldwell.	Strickland.
Dean.	Williford.
Dudley.	Witt.
McNealus.	Woods.

Absent—Excused.

Clark.

The bill was laid before the Senate, read third time and, on motion of Senator Hertzberg, was passed by the following vote:

Yeas—12.

Bailey.	Faust.
Bell.	Floyd.
Buchanan of Scurry.	Hertzberg.
Carlock.	Hopkins.
Dorough.	Parr.
Dudley.	Suiter.

Nays—10.

Alderdice.	McNealus.
Buchanan of Bell.	Smith.
Cousins.	Westbrook.
Gibson.	Witt.
Johnston.	Woods.

**Present—Not Voting.**

Dayton. Hall.  
Dean.

Absent.

Caldwell. Strickland.  
Page. Williford.

Absent—Excused.

Clark.

**House Bill No. 561—Recalled From House.**

Senator Dudley made the following written motion:

I move that House Bill No. 561, local road law for Zavalla County, be recalled from the House for further consideration by this body.

DUDLEY.

The motion was read and adopted.

**Senate Bill No. 227 — Conference Committee Elected.**

Senator Page made the following motion:

I move that the Senate rescind the action by which they concurred in the House amendments to S. B. No. 227, and request the appointment of a conference committee to adjust the differences between the House and Senate on said bill; that Senators Parr, Gibson, Dayton, Caldwell and Smith be elected on the part of the Senate.

PAGE.

The motion prevailed carrying the election of the conferees named.

**Senate Bill No. 234.**

The Chair laid before the Senate on second reading:

S. B. No. 234, A bill to be entitled "An Act requiring every purchaser of any motor vehicle or accessories therefor giving a mortgage thereon for the purchase price thereof, or any portion thereof, upon demand, to notify the mortgagee or holder of such mortgage of the location of such motor vehicle; and providing punishment for failure to comply; and declaring an emergency."

The bill was read second time, and passed to engrossment.

On motion of Senator Hertzberg the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 234 put on

its third reading and final passage by the following vote:

Yeas—25.

Alderdice.	Gibson.
Bailey.	Hall.
Bell.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	Johnston.
Carlock.	McNealus.
Cousins.	Parr.
Dayton.	Smith.
Dean.	Strickland.
Dorough.	Suiter.
Dudley.	Westbrook.
Faust.	Witt.
Floyd.	

Nays—1.

Woods.

Absent.

Caldwell. Williford.  
Page.

Absent—Excused.

Clark.

The bill was laid before the Senate, read third time and, on motion of Senator Hertzberg, was passed by the following vote:

Yeas—16.

Bell.	Floyd.
Buchanan of Scurry.	Gibson.
Carlock.	Hertzberg.
Cousins.	Johnston.
Dean.	Page.
Dorough.	Parr.
Dudley.	Strickland.
Faust.	Witt.

Nays—11.

Alderdice.	McNealus.
Bailey.	Smith.
Buchanan of Bell.	Suiter.
Dayton.	Westbrook.
Hall.	Woods.
Hopkins.	

Absent.

Caldwell. Williford.

Absent—Excused.

Clark.

**Messages From the House.**

Hall of the House of Representatives,  
Austin, Texas, March 7, 1919.

Hon. W. A. Johnson President of the Senate

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

S. B. No. 220, A bill to be entitled "Kerr County Road System creating. An Act subdividing said county into road districts and empowering any political subdivision or any defined district now or hereafter to be designated and defined of said county, by a vote of two-thirds majority of the resident property taxpayers, qualified voters of such political subdivision, or any defined district now or hereafter to be described and defined, thereof voting thereon to issue bonds of said county, to an amount not exceeding one-fourth of the assessed valuation of the real property of such county or of such political subdivision or any defined district now or hereafter to be described and defined, and to levy and collect taxes to pay the interest on such bonds and to provide a sinking fund for the redemption thereof, for the purpose of constructing, maintaining and operating macadamized graveled or paved roads and turn-pikes or in aid thereof, and prescribing ways and means of conducting and supervising said work; providing for appointment of a board of commissioners and their duties; providing for the redemption of road bonds now outstanding against Road District No. 1, and especially exempting said county from the provisions of Art. 637D of Chapter 203 of the Acts of the 35th Legislature at its Regular 1917 Session and declaring an emergency."

S. B. No. 270, A bill to be entitled "An Act to create a more efficient road system for the county of Sabine and State of Texas, and declaring an emergency."

S. B. No. 344, A bill to be entitled "An Act creating the Annona Independent School District in Red River County Texas; repealing Chapter 30 of the Acts of the First Called Session of the Thirty-fifth Legislature; defining the boundaries of said Annona Independent School District as created hereby; vesting said Annona Independent School District as created by this Act with all the rights, powers, privileges and duties exercised by independent school districts incorporated under the general laws of Texas; providing for the management and control of said district by a board of seven trustees; providing for the continuation of the terms of office of the seven trustees now serving under the provisions of

said Chapter 30; validating all local taxes heretofore voted by the previously existing Annona Independent School District; also validating any and all outstanding indebtedness of said former existing Annona Independent School District; providing for the continuation and maintenance of a school at the Garland Schoolhouse in said district and declaring an emergency."

S. B. No. 335, A bill to be entitled "An Act creating the Leaky Independent School District, in Real County Texas, providing a board of trustees therefor vesting it with all rights powers and duties of districts incorporated for school purposes only under the general laws, and declaring an emergency."

S. B. No. 366, A bill to be entitled "An Act to repeal Chapter 3 Local and Special Laws Thirty-first Legislature, First Called Session; providing that the management and control of the schools of the City of Bowie shall be vested in the present board of trustees of the Bowie Independent School District, providing for the taxes of the territory now embraced in the Bowie Independent School District but without the corporate limits of the City of Bowie shall be levied, assessed, and collected by the proper county authorities of Montague county Texas and turned over to the proper authorities of the City of Bowie Texas, until such time as the city of Bowie shall extend its limits for school purposes only; providing that nothing herein shall affect any taxes levied for the school year of 1918-1919 of the Bowie Independent School District, nor affect any legal obligations outstanding against such district; and declaring an emergency."

The House requests the Senate to return S. B. No. 103 for further consideration.

House grants the request of the Senate for the return of H. B. No.'s 177, 178, 179 and 180 and said bills are returned herewith.

Respectfully submitted.

T. B. REESE,

Chief Clerk House of Representatives.

Hall of the House of Representatives,  
Austin, Texas, March 7, 1919.

Lieutenant-Governor W. A. Johnson,  
President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

H. B. No. 168, A bill to be entitled "An Act appointing and designating Mrs. O. M. Roberts as assistant guide in charge of painting; providing for her salary; making an appropriation, and declaring an emergency."

H. B. No. 525, A bill to be entitled "An Act creating the Tynan Independent School District in Bee, San Patricio and Live Oak counties, Texas, and providing for the election of a board of trustees to manage and control the public free schools within said district, naming the fiscal year as to taxes, investing said districts with all the powers, rights and duties of independent school districts formed for free school purposes only, and declaring an emergency."

H. B. No. 562, A bill to be entitled "An Act to amend Sections 2, 6, 7, 10, 12, 13, 14 of Chapter 47, Acts Thirty-fourth Legislature, passed at its Regular Session, being 'An Act to create a more efficient road system for Mills county,' so as to prescribe how road and bridge taxes collected from persons upon property in incorporated cities and towns in said county shall be expended, so as to provide for increased compensation to be paid road hands, and for teams; defining a good day's work; increasing the compensation of road overseers increasing the amount to be paid in lieu of road duty and to secure exemption from road duty, and prescribing to whom such last named sum shall be paid by residents of incorporated cities and towns; and to add to said Chapter 47, Section 15a, providing for the payment into the county treasury of said county of all automobile and motor vehicle license and transfer fees, collected under the terms of existing laws; designating the same as a special highway fund of said county; providing how and for what purpose the same shall be expended; providing that all general and special laws in conflict with this Act shall yield to and be governed thereby, and declaring an emergency."

H. B. No. 587, A bill to be entitled "An Act to fix the time of holding the courts in the Sixty-fourth Judicial District of Texas; to validate all process, bonds, and recognizances heretofore taken in the courts of said district, and all judgments therein rendered, or to be rendered; repealing all laws in conflict herewith, and declaring an emergency."

H. B. No. 604, A bill to be entitled "An Act creating, establishing and incorporating the Donna Independent School District in Hidalgo county, Texas."

H. B. No. 602, A bill to be entitled "An Act to amend Chapter 8, Acts of the Fourth Called Session of the Thirty-fifth Legislature, creating the Burkeville Independent School District in Newton county, Texas, defining its boundaries and making a permanent site and providing for the election of a board of trustees, investing said district and its board of trustees with full power, privileges and duties of towns and villages incorporated for free school purposes only, investing the trustees with the control of the public schools in said district, authorizing the levy and collecting of taxes for certain purposes, authorizing the appointment of a tax collector and assessor, and authorizing the said board to be vested with all authority that is vested in boards of independent school districts by the general laws of the State of Texas; validating certain indebtedness of Common School District No. 8 of said county, and providing for a permanent site of the high school on the tracts of land where it is now located and naming the surveys and parts of surveys included within its boundaries."

H. B. No. 601, A bill to be entitled "An Act creating Ray Common School District No. 27 in Goliad county, Texas, providing a board of trustees therefor, providing that said common school district and the board of trustees thereof shall have and enjoy all the rights, powers, privileges and duties imposed and conferred by the general statutes upon common school districts in this State."

H. B. No. 613, A bill to be entitled "An Act creating the South Elm Common School District No. 58 of Milam county, Texas; providing a board of trustees therefor; providing that said common school district and the board of trustees thereof shall have and enjoy all the rights, powers, privileges and duties imposed and conferred by the general statutes of Texas upon common school districts in this State, and declaring an emergency."

H. B. No. 609, A bill to be entitled "An Act to establish and create a court to be known as 'Corporation Court in Port Arthur, Texas,' and to prescribe its organization, jurisdiction

and procedure, and to conform the jurisdiction and procedure of other courts thereto; to repeal all laws in conflict herewith, and declare an emergency."

H. B. No. 589, A bill to be entitled "An Act amending Chapter 45, House bill No. 531, of the Special Laws of Texas, enacted by the Thirty-fourth Legislature, the same being 'An Act creating a special road law for Camp county, Texas; authorizing the commissioners court to subdivide the county into convenient road precincts; prescribing who shall be subject to road duty, and fixing time road hands shall work; providing that certain persons subject to road duty may pay money in lieu of work; authorizing the commissioners court to employ county road superintendent, fixing his salary and prescribing his duties, and requiring bond; authorizing the commissioners court to secure the services of a civil engineer and fixing his duties; requiring county convicts who have not paid their fines to discharge same by work on public roads; providing that overseers who have paid road tax may receive compensation for their services; providing that the commissioners court shall be authorized to furnish county road superintendent with necessary teams, tools, apparatus, machinery and material for road work; providing that the commissioners court shall appoint an advisory board; providing condemnation proceedings where disagreement occurs regarding land needed for public road purposes; providing penalty for changing road-bed without written consent of county road superintendent; providing that roads may be classified, and for the removal of obstructions; draining and grading of public roads; providing for setting up mile boards and fixing penalty for violations; providing for additional revenue for road and bridge purposes; providing that delinquent poll tax payers be required to work on roads in lieu of said tax, requiring district judge to give this law in his charge to the grand jury; providing penalty for placing obstructions in public roads, highways or thoroughfares; providing that in case of vacancy in the county road superintendent's office, the several commissioners shall serve as road commissioners in their respective precincts; providing that if any part of

this law is held to be unconstitutional it will not invalidate any other part or section of this Act; making this law cumulative of all general laws of this State not in conflict with this Act'; by adding thereto another section to be known as Section No. 42; providing that it shall be within the sound discretion of the commissioners court of Camp county as to whether or not they shall work under the provisions of this Act or under the general road laws of the State of Texas; repealing all laws in conflict therewith and declaring an emergency."

H. B. No. 560, A bill to be entitled "An Act amending House bill No. 647, passed by the Regular Session of the Thirty-third Legislature of the State of Texas, and declaring an emergency."

Respectfully submitted,  
T. B. REESE  
Chief Clerk, House of Representatives.

#### Bills Read and Referred.

The Chair, Lieutenant Governor Johnson, had referred, after their captions had been read, the following House bills:

H. B. No. 525, referred to the Committee on Educational Affairs.

H. B. No. 604, referred to the Committee on Educational Affairs.

H. B. No. 602, referred to the Committee on Educational Affairs.

H. B. No. 589, referred to the Committee on Roads, Bridges and Ferries.

H. B. No. 601, referred to the Committee on Educational Affairs.

H. B. No. 613, referred to the Committee on Educational Affairs.

H. B. No. 609, referred to the Committee on Judicial Districts.

H. B. No. 560, referred to the Committee on Roads, Bridges and Ferries.

H. B. No. 587, referred to the Committee on Judicial Districts.

H. B. No. 168, referred to the Committee on Finance.

H. B. No. 562, referred to the Committee on Roads, Bridges and Ferries.

#### Bills Signed.

The Chair, Lieutenant Governor Johnson, gave notice of signing and did sign in the presence of the Sen-

ate, after their captions had been read, the following bills:

S. B. No. 224, A bill to be entitled "An Act for the relief of the heirs of Charles Broach and to validate a survey of 320 acres of land in Franklin County, made by virtue of certificates granted to William Lane, and to authorize the Commissioner of the General Land Office to issue patents thereto."

S. B. No. 103, A bill to be entitled "An Act for the purpose of promoting the public school interest of rural schools and those of small towns, of aiding the people and providing adequate school facilities for the education of their children by the appropriation of two million dollars each year, or so much thereof as may be necessary, for the next two fiscal years ending August 31, 1920, and August 31, 1921, respectively, by allowing the State Board of Education to aid such schools, and providing how such schools shall be located and school buildings constructed, furnished and maintained, etc.; and declaring an emergency."

S. B. No. 98, A bill to be entitled "An Act to amend Article 4859, Title 71, Chapter 7, relating to reports of local insurance associations, of the Revised Civil Statutes, 1911, of the State of Texas."

S. B. No. 50, A bill to be entitled "An Act to amend Article 3842, of the Revised Civil Statutes of 1911, relating to fees chargeable by the General Land Office of Texas, and declaring an emergency."

S. B. No. 82, A bill to be entitled "An Act for the formation of corporations to contract for, erect or construct improvements or structures, and to acquire, sell or prepare materials used therein."

S. B. No. 293, A bill to be entitled "An Act to permit the Texas Southeastern Railroad Company to take up and remove that portion of its railroad lying between Vair and Neff, and to sell and dispose of that portion of its right of way included between said two stations and to abandon same, and declaring an emergency."

#### House Bill No. 177—Vote Rescinded.

By unanimous consent, Senator Dean moved to reconsider the vote

by which H. B. No. 177 was passed finally.

The motion prevailed by unanimous vote.

The Chair laid before the Senate on third reading:

H. B. No. 177, amending statutes relating to filing fees to be paid by domestic corporations.

The bill was laid before the Senate, read third time and, on motion of Senator Dean, was passed by the following vote:

#### Yeas—25.

Alderdice.	Gibson.
Bailey.	Hall.
Bell.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	Johnston.
Carlock.	Page.
Cousins.	Parr.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Witt.
Faust.	Woods.
Floyd.	

#### Absent.

Caldwell.	Smith.
McNealus.	

#### Absent—Excused.

Clark.	Williford.
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#### House Bill No. 178—Vote Rescinded.

By unanimous consent, Senator Dean moved to rescind the vote by which H. B. No. 178 was passed finally.

The motion prevailed by unanimous vote.

The Chair laid before the Senate on third reading:

H. B. No. 178, amending statutes relating to the franchise tax on foreign corporations.

The bill was laid before the Senate, read third time and, on motion of Senator Dean, was passed by the following vote:

#### Yeas—24.

Alderdice.	Cousins.
Bell.	Dayton.
Buchanan of Bell.	Dean.
Buchanan of Scurry.	Dorough.
Carlock.	Dudley.

Faust.	Page.
Floyd.	Parr.
Gibson.	Strickland.
Hall.	Suiter.
Hertzberg.	Westbrook.
Hopkins.	Witt.
Johnston.	Woods.

Absent.

Bailey.	McNealus.
Caldwell.	Smith.

Absent—Excused.

Clark.	Williford.
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**House Bill No. 179—Vote Rescinded.**

By unanimous consent, Senator Dean moved to rescind the vote by which H. B. No. 179 was passed finally.

The motion prevailed by unanimous vote.

The Chair laid before the Senate on third reading:

H. B. No. 179, amending Civil Statutes prescribing the amount of franchise taxes to be paid by domestic corporations.

The bill was laid before the Senate; read third time and, on motion of Senator Dean, was passed by the following vote:

Yeas—24.

Alderdice.	Gibson.
Bell.	Hall.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Carlock.	Johnston.
Cousins.	Page.
Dayton.	Parr.
Dean.	Strickland.
Dorough.	Suiter.
Dudley.	Westbrook.
Faust.	Witt.
Floyd.	Woods.

Absent.

Bailey.	McNealus.
Caldwell.	Smith.

Absent—Excused.

Clark.	Williford.
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**House Bill No. 180—Vote Rescinded.**

By unanimous consent, Senator

Dean moved to rescind the vote by which H. B. No. 180 was passed finally.

The motion prevailed by unanimous vote.

The Chair laid before the Senate on third reading:

H. B. No. 180, requiring corporations which are required to pay a franchise tax to make report to the Secretary of State annually, and extending time for payment of tax.

The bill was laid before the Senate, read third time and, on motion of Senator Dean, was passed by the following vote:

Yeas—24.

Alderdice.	Gibson.
Bell.	Hall.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Carlock.	Johnston.
Cousins.	Page.
Dayton.	Parr.
Dean.	Strickland.
Dorough.	Suiter.
Dudley.	Westbrook.
Faust.	Witt.
Floyd.	Woods.

Absent.

Bailey.	McNealus.
Caldwell.	Smith.

Absent—Excused.

Clark.	Williford.
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**Senate Bill No. 128.**

Senator Buchanan of Scurry called up and the Chair laid before the Senate on second reading:

S. B. No. 128, A bill to be entitled "An Act to amend Title 17, Articles 1195, 1196, 1198, 1199, 1200 and 1201 of the Code of Criminal Procedure of the State of Texas adopted at the Regular Session of the Thirty-second Legislature, 1911, relating to the State Institution for the Training of Juveniles; the control and treatment of delinquent children, as amended by Chapter 112 of the Acts of the Regular Session of the Thirty-third Legislature, 1913, approved April 2, 1913, and to amend Article 1197 of said Code as amended by said Acts of the Thirty-third Legislature, approved April 2, 1913, and amended by the Fourth Called Session of the Thirty-fifth Legislature,



Chapter 36, approved March 22, 1918, and to add to said Code Article 1201a, and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Buchanan of Scurry, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 128 put on its third reading and final passage by the following vote:

**Yeas—22.**

Alderdice.	Floyd.
Bell.	Gibson.
Buchanan of Bell.	Hall.
Buchanan of Scurry.	Hertzberg.
Carlock.	Hopkins.
Cousins.	Page.
Dayton.	Parr.
Dean.	Sulter.
Dorough.	Westbrook.
Dudley.	Witt.
Faust.	Woods.

**Absent.**

Bailey.	McNealus.
Caldwell.	Smith.
Johnston.	Strickland.

**Absent—Excused.**

Clark. Williford.

Senator Witt offered the following amendment which was read and adopted by unanimous vote:

Amend S. B. No. 128, by inserting after the word "court" in line 2, page 3, of the printed bill as follows:

"Provided that in the conveying of said juvenile to said training school, chains or ropes shall not be used on or about the person of said juvenile."

The bill was laid before the Senate, read third time, and on motion of Senator Buchanan of Scurry, was passed finally.

**Senate Bill No. 219.**

The Chair laid before the Senate on second reading:

S. B. No. 219, A bill to be entitled "An Act to minimize and prevent the theft of motor vehicles and motor vehicle tires, parts and accessories, providing punishments for violations of this Act and for other

purposes and declaring an emergency."

Senator Carlock offered the following amendments which were read and adopted:

(1) Amend Senate Bill No. 219, section 5, page 3, line 23, by adding after the word "model" the following:

"Provided that this Act shall not apply where the repairs made or the parts installed are of a lesser value than two dollars and fifty (\$2.50) cents, and provided further that where the person procuring such repairs or purchasing such accessories is unknown to the person owning or operating a garage or motor vehicle repair shop, then it shall be the duty of such owner or operator to make a record of the name given, apparent age, sex, and any special identifying characteristics of person procuring such repairs or accessories."

(2) Amend Senate Bill 219, Section 6, page 4, at the end of line 6, by adding the following:

"Provided that this Act shall not apply where the parts purchased are of a lesser value than two dollars and fifty (\$2.50) cents, and provided further that where the person procuring such parts, or purchasing such motor vehicles, is unknown to the person operating said business, then it shall be the duty of such person to make a record of the name given, apparent age, sex, and any special identifying characteristics of the person procuring such repairs or accessories."

Senator Hertzberg offered the following which was read and adopted:

(3) Amend Senate Bill No. 219 by inserting the word "not" after the word "shall," line 1, Section 3, page 2.

The bill was read second time and passed to engrossment.

On motion of Senator Hertzberg, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 219 put on its third reading and final passage by the following vote:

**Yeas—24.**

Alderdice.	Cousins.
Bell.	Dayton.
Buchanan of Bell.	Dorough.
Buchanan of Scurry.	Dudley.
Carlock.	Faust.

Floyd.	Page.
Gibson.	Strickland.
Hall.	Suiter.
Hertzberg.	Westbrook.
Hopkins.	Witt.
Johnston.	Woods.

Absent.

Bailey.	Parr.
Caldwell.	Smith.
Dean.	Williford.
McNealus.	

Absent—Excused.

Clark.

The bill was laid before the Senate read third time and, on motion of Senator Hertzberg, was passed by the following vote:

Yeas—20.

Alderdice.	Hall.
Bell.	Hertzberg.
Buchanan of Bell.	Hopkins.
Carlock.	Johnston.
Cousins.	Page.
Dayton.	Smith.
Dorough.	Strickland.
Dudley.	Suiter.
Faust.	Westbrook.
Floyd.	Witt.

Nays—1.

Woods.

Present—Not Voting.

Buchanan of Scurry. Gibson.

Absent.

Bailey.	McNealus.
Caldwell.	Parr.
Dean.	Williford.

Absent—Excused.

Clark.

#### Message From the House.

Hall of the House of Representatives,  
Austin, Texas, March 7, 1919.

Lieutenant-Governor W. A. Johnson,  
President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has adopted

S. C. R. No. 31, Authorizing the comptroller to deposit a trust fund of \$495.35 to the credit of the General Revenue.

The House grants the request of the Senate for the return of House Bill No. 561, and said bill is returned herewith.

Respectfully submitted,  
T. B. REESE, Chief Clerk,  
House of Representatives.

#### Senate Bill No. 152—Set As Special Order.

By unanimous cosent and on motion of Senator Johnston Senate Bill No. 152 was set as special order for next Tuesday at the conclusion of the morning call.

#### House Bill No. 561—Vote Rescinded.

By unanimous consent and on motion of Senator Dudley the vote by which House Bill No. 561 was passed finally was rescinded.

The motion prevailed by unanimous vote.

On motion of Senator Dudley the bill was laid on the table subject to call.

#### Senate Bill No. 228.

The Chair laid before the Senate on second reading:

S. B. No. 228, A bill to be entitled "An Act relating to garages and machine shops, requiring mechanics employed or working therein to pass an examination and secure a license and granting to the owners and operators of garages and machine shops a lien for labor, materials and parts furnished and declaring an emergency."

On motion of Senator Page the bill was postponed indefinitely.

#### Senate Joint Resolution No. 23.

The Chair laid before the Senate on second reading:

S. J. R. No. 23, Being a resolution to be entitled, "A Joint Resolution proposing and submitting to the people of the State of Texas an amendment to Article sixteen of the Constitution of the State of Texas by adding thereto a new section and authorizing the City of Galveston and County of Galveston to issue bonds

for protective works, irrespective of Constitutional limitations."

Senator Hall offered the following amendments which were read and adopted:

Amend S. J. R. No. 23 by striking out all of Section One and inserting in lieu thereof the following:

"Section 1. The City of Galveston and the County of Galveston, and each of them, are hereby authorized to issue bonds in such amounts, not to exceed in the aggregate five million dollars, for both city and county, as may be by the city or county deemed necessary for the raising of the grade, building seawalls and breakwaters, and doing any and all other kinds of protective works in said city and county, without regard to and irrespective of any provisions of the Constitution of the State of Texas limiting tax levies and governing bond issues and for that purpose to levy and collect taxes to retire and pay same, principal and interest, but no debt shall ever be incurred for such purpose, unless provision is made at the time of creating same, for levying and collecting a sufficient tax to pay the interest thereon and to provide at least two per cent as a sinking fund, this provision being cumulative, and authorizing the issuance of such bonds in addition to those heretofore issued for such purposes and still outstanding, the amount of such additional bonds to be issued by the county hereunder not to exceed one million dollars, and the amount of such additional bonds to be issued by the city hereunder not to exceed four million dollars, but nothing herein shall apply to bonds heretofore or hereafter issued for purposes other than those herein defined, provided however, that that portion of Galveston County not lying within the corporate limits of the City of Galveston shall not be taxed for the purpose of issuing bonds for any of the purposes herein provided within the corporate limits of the City of Galveston, unless such bond issue and tax levy be authorized by a majority of all the tax paying voters residing in Galveston County outside of the corporate limits of the City of Galveston; provided that no such bonds issued by the City of Galveston shall be valid, unless such bond issue and tax levy be authorized by a majority of all qualified tax paying voters of the City of Galveston,

voting at an election to be called for that purpose by the Mayor and Board of Commissioners of said City of Galveston."

Amend S. J. R. No. 23 by adding after the word "limitation" line 11, page 1, the following: "in the aggregate of five million dollars for both city and county, as may be by the city or county deemed necessary, for the raising of the grade, building seawalls and breakwaters, and doing any and all kinds of protective works in said city and county and to levy and collect taxes to retire said bonds, principal and interest, providing for a sinking fund and creating an emergency."

On motion of Senator Hall the resolution was ordered engrossed.

#### Senate Bill No. 78—House Amendments Concurred In.

Senator Buchanan of Scurry called up for consideration of House amendments to:

Senate Bill No. 78, relating to oil and gas pipe lines, etc.

The following House amendments were laid before the Senate and read:

Amend Senate Bill No. 78 by striking out all that part of Section 1 beginning with the word "provided" in the eighth line above the end of said Section 1 to the end of said Section 1. The word "thereof" before the said word "provided" to be followed by a period.

Amend Senate bill No. 78 by adding a new section to be known and numbered as Section 2a, to read as follows:

"Section 2a. That every person, firm, corporation, limited co-partnership, joint stock association, or associations of any kind whatsoever owning, operating, or managing any pipe line, or any part of any pipe line within the State of Texas for the transportation of fuller's earth for the public for hire, the same are hereby declared to be common carriers, and shall have the rights and power of eminent domain, and may condemn, the necessary sites, rights of way and easements, under the same terms, and subject to the same conditions as are conferred by Sections 1 and 2 of this act, on like persons natural or otherwise, owning, operating or managing crude petroleum pipe line or lines."

And amend the bill further by adding to the caption thereof between the words "Chapter 24, and declaring an emergency," the following: "Declaring all pipe lines for the conveyance of fuller's earth for the public, for hire, common carriers, and granting to the person, firm, corporation, limited co-partnership, joint stock association, or associations of any kind owning, operating, or managing such a pipe line, or lines, a like right of eminent domain as is granted crude petroleum pipe lines."

Amend Senate Bill No. 78, Section 2, page 3, line 19, by inserting after the word "road," "provided, that no pipes or pipe lines shall be laid parallel with and on any public highway closer than fifteen feet from the improved section thereof except with the approval and under the direction of the commissioners court of the county in which such public highway is located."

Amend Senate Bill No. 78, page 2, line 11, by inserting after the word "road," "provided, that no pipes or pipe lines shall be laid parallel with and on any public highway closer than fifteen feet from the improved section thereof except with the approval and under the direction of the commissioners court of the county in which such public highway is located."

On motion of Senator Buchanan of Scurry the amendments were concurred in by the following vote:

## Yeas—23.

Alderdice.	Gibson.
Bell.	Hall.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Carlock.	Johnston.
Cousins.	Page.
Dayton.	Parr.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Witt.
Faust.	Woods.
Floyd.	

## Absent.

Bailey.	Smith.
Caldwell.	Strickland.
McNealus.	Williford.

## Absent—Excused.

Clark.

## Senate Joint Resolution No. 12.

The Chair laid before the Senate on second reading:

S. J. R. No. 12, A resolution to be entitled "A Joint Resolution proposing an amendment to Section 4 of Article XI of the Constitution of the State of Texas, by increasing the total tax rate that may be levied by cities and towns having a population of five thousand or less from one-fourth of one per cent to not exceeding one and one-half per cent, and making an appropriation therefor."

On motion of Senator Dean, the resolution was passed to engrossment.

## Senate Joint Resolution No. 17.

The Chair laid before the Senate on second reading:

S. J. R. No. 17, being a resolution to be entitled "A Joint Resolution proposing an amendment to Section 3 of Article VII of the Constitution of the State of Texas, by exempting independent school districts created by Special Act of the Legislature from the limitation of a total tax of fifty cents on the one hundred dollars valuation for any one year, and making an appropriation therefor."

On motion of Senator Dean, the resolution was ordered engrossed.

## Senate Bill No. 133.

The Chair laid before the Senate on second reading:

S. B. No. 133, A bill to be entitled "An Act to establish and fix the salaries of the State Purchasing Agent and the chief clerk in the office of the State Purchasing Agent, and declaring an emergency."

On motion of Senator Page, the bill was laid on the table subject to call.

## Senate Bill No. 260.

The Chair laid before the Senate on second reading:

S. B. No. 260, A bill to be entitled "An Act to validate all sales of public free school land made by the State of Texas, by authority of the Acts of the Legislature of date April 12 and 14, 1883, wherein the State did not

by its award of sale or classification of such lands specifically reserve the minerals in such lands, be and the same are hereby validated, and the State of Texas hereby relinquishes unto the owners of said lands all of its right and title to said lands and minerals, and declaring an emergency."

On motion of Senator Dayton, H. B. No. 208 was substituted, and laid on the table subject to call.

#### Senate Bill No. 255.

The Chair laid before the Senate on second reading:

S. B. No. 255, A bill to be entitled "An Act to amend Section 2, Chapter 8, of the General Laws of the First Called Session of the Thirty-fourth Legislature, entitled 'An Act to create a State Council of Defense, so as to extend the period of its existence for six months after a final treaty of peace has been signed and published, and declaring an emergency.'"

The bill was read second time, and passed to engrossment.

On motion of Senator Hopkins the constitutional rule requiring bills to to read on three several days was suspended and S. B. No. 255 put on its third reading and final passage by the following vote:

#### Yeas—23.

Alderdice.	Hall.
Bell.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	Johnston.
Carlock.	Page.
Cousins.	Parr.
Dayton.	Smith.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Witt.
Faust.	Woods.
Gibson.	

#### Absent.

Bailey.	McNealus.
Caldwell.	Strickland.
Floyd.	Williford.

#### Absent—Excused.

Clark.

The bill was laid before the Senate, read third time and, on motion of

Senator Hopkins, was passed by the following vote:

#### Yeas—24.

Alderdice.	Floyd.
Bell.	Gibson.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Carlock.	Johnston.
Cousins.	Page.
Dayton.	Parr.
Dean.	Smith.
Dorough.	Suiter.
Dudley.	Westbrook.
Faust.	Witt.

#### Present—Not Voting.

Hall.	Woods.
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#### Absent.

Bailey.	Strickland.
Caldwell.	Williford.
McNealus.	

#### Absent—Excused.

Clark.

#### Recess.

At 12:15 o'clock the Senate, on motion of Senator Westbrook, recessed until 2 o'clock today.

#### After Recess.

(Afternoon Session.)

The Senate was called to order by Lieutenant Governor Johnson.

#### Senator E. L. Rector.

Senator Gibson called the Chair's attention to the fact that Senator-elect E. L. Rector of Brownwood is present and should be sworn in at once.

Senator Bailey moved that Senator Rector be conducted to the President's stand and be sworn in at once.

The motion prevailed, and the Chair appointed Senators Gibson and Bailey to conduct Senator Rector to the Chair.

Whereupon he took the constitutional oath of office, administered by Lieutenant Governor Johnson.

Senator Rector, who represents the 26th Senatorial District, was then presented to the Senate and made a brief address.

### House Bill No. 196.

Senator Johnston called up and the Chair laid before the Senate on second reading:

H. B. No. 196, A bill to be entitled "An Act to amend Chapter 64, of the Acts of the Regular Session of the Thirty-fifth Legislature, page 123 thereof, relating to the salary of District Attorneys in counties having a population in excess of one hundred thousand; and also amending Chapter 55 of the Acts of the Regular Session of the Thirty-fifth Legislature, page 94 thereof, relating to the appointment and compensation of deputy county officers and assistants to District Attorneys; fixing the salary of District Attorneys and their deputies, assistants and stenographers, and providing for the method of appointment of such deputies, assistants and stenographers, and the method of determining and fixing the salaries thereof, in counties having a population of more than one hundred thousand."

Senator McNealus offered the following amendments, which were read and adopted:

(1) Amend House Bill No. 196, page 2, by striking out Section 3, and substituting the following:

Section 3: Such district attorney, in connection with, and for the purpose of conducting his office in such county, shall be, and is, hereby authorized to appoint six assistant district attorneys, two of whom shall receive a salary not to exceed three thousand dollars per annum, and one of whom shall receive a salary not to exceed twenty-four hundred dollars per annum, and three of whom shall receive a salary not to exceed twenty-one hundred dollars per annum, all salaries payable monthly. He shall also be authorized to employ a stenographer who shall receive a salary not to exceed fifteen hundred dollars per annum, payable monthly, and two investigators, who shall each receive a salary not to exceed fifteen hundred dollars per annum, payable monthly. The salaries of the assistants, deputies and stenographer and investigators above provided for shall be paid

by said county by warrant drawn upon the general funds thereof.

(2) Amend House Bill No. 196, page 4, Section 8, line 20, by inserting after the word "affecting" in said line 20, the following:

"Chapter 121, page 315 Acts of the Thirty-fifth Legislature, Regular Session, except in so far as it applies to the amount of fees to be retained by the Criminal District Attorney of Dallas County, Texas, and as to the amount and method of payment of salaries to the assistant criminal district attorneys, special assistants and stenographer employed in the office of the Criminal District Attorney of Dallas County, Texas."

(3) Amend House Bill No. 196, page 6, by striking out the Engrossed Rider.

The bill was read second time and passed to its third reading.

On motion of Senator Johnston, the Constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 196 put on its third reading and final passage by the following vote:

#### Yeas.—24.

Alderdice.	Floyd.
Bailey.	Gibson.
Bell.	Hall.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	Johnston.
Carlock.	McNealus.
Cousins.	Page.
Dayton.	Parr.
Dean.	Rector.
Dorough.	Suiter.
Dudley.	Westbrook.
Faust.	Woods.

#### Absent.

Caldwell.	Strickland.
Hertzberg.	Williford.
Smith.	Witt.

#### Absent—Excused.

Clark.

The bill was laid before the Senate, read third time and, on motion of Senator Johnston, was passed finally.

### Senate Bill No. 215.

The Chair laid before the Senate on second reading:

S. B. No. 215, A bill to be entitled

"An Act to establish what is known as a uniform warehouse receipt. Providing for what shall be contained in said receipt. Providing what shall constitute a negotiable receipt. Defining the obligations and rights of a warehouseman upon the receipt issued by them. Defining the character of receipt that shall be issued in all instances where goods are received for storage, and providing for the taking up and cancelling of receipt issued on the whole or part of goods stored with warehousemen. Providing for the alteration of receipts issued etc., and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator McNealus, the Constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 215 put on its third reading and final passage by the following vote:

Yeas.—26.

Alderdice.	Gibson.
Bailey.	Hall.
Bell.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	Johnston.
Carlock.	McNealus.
Cousins.	Page.
Dayton.	Parr.
Dean.	Rector.
Dorough.	Smith.
Dudley.	Strickland.
Faust.	Suiter.
Floyd.	Westbrook.

Absent.

Caldwell.	Witt.
Williford.	Woods.

Absent—Excused.

Clark.

The bill was laid before the Senate, read third time and, on motion of Senator McNealus, was passed by the following vote:

Yeas—24.

Alderdice.	Cousins.
Bailey.	Dayton.
Bell.	Dean.
Buchanan of Bell.	Dorough.
Buchanan of Scurry.	Dudley.
Carlock.	Faust.

Floyd.	Parr.
Gibson.	Smith.
Hopkins.	Suiter.
Johnston.	Westbrook.
McNealus.	Witt.
Page.	Woods.

Present—Not Voting.

Rector.

Absent.

Caldwell.	Strickland.
Hall.	Williford.
Hertzberg.	

Absent—Excused.

Clark.

#### Senate Bill No. 309.

The Chair laid before the Senate on second reading:

S. B. No. 309, A bill to be entitled "An Act making an appropriation for heating, plumbing fixtures, sewerage disposal, ice plant, laundry machinery, and for the erection of an industrial building, nurses' home, male chronic ward and female chronic ward for the Northwest Texas Insane Asylum in addition to the appropriation contained in Chapter 183 Acts of the Regular Session of the Thirty-fifth Legislature, and providing that such fund shall be expended under the direction of the building board created by the Act of the Thirty-fifth Legislature, and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Bell, the Constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 309 put on its third reading and final passage by the following vote:

Yeas—23.

Alderdice.	Floyd.
Bailey.	Gibson.
Bell.	Hall.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	Johnston.
Carlock.	McNealus.
Cousins.	Page.
Dayton.	Parr.
Dean.	Smith.
Dorough.	Suiter.
Dudley.	Westbrook.
Faust.	

Present—Not Voting.

Rector.

Absent.

Caldwell.	Williford.
Hertzberg.	Witt.
Strickland.	Woods.

Absent—Excused.

Clark.

The bill was laid before the Senate, read third time and, on motion of Senator Bell, was passed by the following vote:

Yeas—24.

Alderdice.	Floyd.
Bailey.	Gibson.
Bell.	Hall.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	Johnston.
Carlock.	McNealus.
Cousins.	Page.
Dayton.	Parr.
Dean.	Smith.
Dorough.	Suiter.
Dudley.	Westbrook.
Faust.	Witt.

Present—Not Voting.

Rector.

Absent.

Caldwell.	Williford.
Hertzberg.	Woods.
Strickland.	

Absent—Excused.

Clark.

#### Senate Bill No. 237.

The Chair laid before the Senate on second reading:

S. B. No. 237, A bill to be entitled "An Act amending Chapter 147 of the Acts of the 34th Legislature for the collection of delinquent taxes, provided for a reasonable compensation for report of an abstract company or individual abstractor as to the record owner of property reported delinquent, and as to the holders of any liens against said property and report as to subsequent conveyances; charging such fee as additional costs against the delinquent lands, and declaring an emergency,"

Senator Suiter offered the following amendment:

Amend S. B. No. 239, page 2, line 4, by changing the period in said line to a semicolon and add thereafter the following:

"Provided that in any and all suits for collection of delinquent tax, no costs due any officer which has occurred more than two years prior to the date of filing said suit shall be included and all such costs shall be and are barred by the statute of limitation."

The amendment was adopted.

Senator Bailey offered the following amendment which was read and adopted:

(2) Amend S. B. 237, amend the caption of the bill by striking out in line 8, page 1 of the printed bill the word "provided" and inserting in lieu thereof the word "providing" and by striking out in line 11, page 11, of the printed bill the word "report."

Senator Carlock moved to postpone the bill indefinitely.

On motion of Senator Dean the motion to postpone was tabled.

Senator Carlock offered the following amendment:

Amend S. B. No. 237, in section 5(a) by striking out the words "four dollars" and the figures "\$4.00" wherever they occur, and insert \$2.00 in lieu of the words and figures.

On motion of Senator Parr the amendment was tabled.

The bill was read second time and passed to engrossment.

On motion of Senator Parr, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 237 put on its third reading and final passage by the following vote:

Yeas—25.

Alderdice.	Hall.
Bailey.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	Johnston.
Carlock.	McNealus.
Cousins.	Page.
Dayton.	Parr.
Dean.	Rector.
Dorough.	Smith.
Dudley.	Suiter.
Faust.	Westbrook.
Floyd.	Woods.
Gibson.	



Absent.

Bell. Williford.  
Caldwell. Witt.  
Strickland.

Absent—Excused.

Clark.

The bill was laid before the Senate, read third time and, on motion of Senator Parr, was passed finally.

#### Senate Bill No. 240.

The Chair laid before the Senate on second reading:

S. B. No. 240, A bill to be entitled "An Act to authorize and permit Mrs. Ethel Richburg to sue the State of Texas, in the District Court of Wood County, Texas, or in the District Court of Eastland County, Texas, for damages for the death of her husband, who was killed by State Rangers on or about the 24th day of November, 1918, while said Rangers were acting in their capacity as Rangers of and without bond or other securities for their acts, and declaring an emergency."

Senator Page offered the following amendment:

Amendment No. 1 to Senate Bill No. 240:

Amend the bill by striking out all after the first comma in line 8 of the printed bill and adding the following:

"In the District Court of Travis County, Texas, for damages for the death of her husband alleged to have been killed by State Rangers on or about the 19th day of December, 1918.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Mrs. Ethel Richburg, surviving widow of Ernest W. Richburg, is hereby permitted to sue the State of Texas in the District Court of Travis County, Texas, for damages on account of the alleged killing of her husband by State Rangers.

Section 2. The fact that the witnesses, who know all of the conditions and circumstances under which the said Ernest W. Richburg was killed by State Rangers, as stated in this Act, may move away and go beyond the jurisdiction of the court, making it difficult to locate them,

creates an emergency and an imperative public necessity demanding that the constitutional rule requiring bills to be read on three several days in each house be suspended, and it is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted."

Senator Suiter offered the following:

Amend the amendment to S. B. No. 240 by inserting before the words "Travis County, Texas," the words "Eastland County, Texas, or" in both the caption and in Section 1 of said amendments.

The amendment was adopted.

The amendment by Senator Page as amended was then adopted.

The bill was read second time, and passed to engrossment.

On motion of Senator Suiter the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 240 put on its third reading and final passage by the following vote:

Yeas—25.

Alderdice.	Hall.
Bailey.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	Johnston.
Carlock.	McNealus.
Cousins.	Page.
Dayton.	Rector.
Dean.	Smith.
Dorough.	Strickland.
Dudley.	Suiter.
Faust.	Witt.
Floyd.	Woods.
Gibson.	

Absent.

Bell.	Westbrook.
Caldwell.	Williford.
Parr.	

Absent—Excused.

Clark.

The bill was laid before the Senate, read third time and, on motion of Senator Suiter, was passed by the following vote:

Yeas—25.

Alderdice.	Carlock.
Bailey.	Cousins.
Buchanan of Bell.	Dayton.
Buchanan of Scurry.	Dean.

Dorough.	McNealus.
Dudley.	Parr.
Faust.	Smith
Floyd.	Strickland.
Gibson.	Suiter.
Hall.	Westbrook.
Hertzberg.	Witt.
Hopkins.	Woods.
Johnston.	

Present—Not Voting.

Rector.

Absent.

Bell.	Page.
Caldwell.	Williford.

Absent—Excused.

Clark.

### Senate Bill No. 339.

The Chair laid before the Senate on second reading:

S. B. No. 339, A bill to be entitled "An Act changing and fixing the times of holding the courts in the Twelfth Judicial District of Texas, and declaring an emergency."

The committee report that the bill be not printed was adopted.

Senator Dean offered the following amendments, which were read and adopted:

(1) Amend the bill by striking out all of Section 1 and inserting in lieu thereof the following:

"Section 1. The Twelfth Judicial District of Texas shall be composed of the counties of Trinity, Leon, Walker, Madison and Grimes, as now constituted, and the District Courts shall be held therein as follows:

"In the County of Trinity, on the third Monday in February and September of each year, and may continue in session four weeks.

"In the County of Leon, on the fourth Monday after the third Monday in February and September of each year, and may continue in session four weeks.

"In the County of Walker, on the eighth Monday after the third Monday in February and September of each year, and may continue in session four weeks.

"In the County of Madison, on the twelfth Monday after the third Monday in February and September of each year, and the terms of court convening on the twelfth Monday af-

ter the third Monday in February may continue for three weeks and the terms of court convening on the twelfth Monday after the third Monday in September may continue four weeks.

"In the County of Grimes, on the third Monday in June and on the sixteenth Monday after the third Monday in September of each year, and many continue in session for six weeks."

(2) Amend S. B. No. 339 by striking out the words "its passage" in last line of the bill and by inserting in lieu thereof the following, "June 1st, 1919."

The bill was read second time, and passed to engrossment.

On motion of Senator Dean the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 339 put on its third reading and final passage by the following vote:

Yeas—26.

Alderdice.	Hall.
Bailey.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	Johnston.
Carlock.	McNealus.
Cousins.	Page.
Dayton.	Parr.
Dean.	Smith.
Dorough.	Strickland.
Dudley.	Suiter.
Faust.	Westbrook.
Floyd.	Witt.
Gibson.	Woods.

Present—Not Voting.

Rector.

Absent.

Bell.	Williford.
Caldwell.	

Absent—Excused.

Clark.

The bill was laid before the Senate, read third time and, on motion of Senator Dean, was passed finally.

### Senate Bill No. 287.

The Chair laid before the Senate on second reading:

S. B. No. 287, A bill to be entitled "An Act for the formation of corporations and to contract for and make blue prints, mimeographs and

do plat work, and declaring an emergency."

The bill was read second time, and passed to engrossment.

On motion of Senator Dorough the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 287 put on its third reading and final passage by the following vote:

Yeas—27.

Alderdice.	Hall.
Bailey.	Hertzberg.
Bell.	Hopkins.
Buchanan of Bell.	Johnston.
Buchanan of Scurry.	McNealus.
Carlock.	Page.
Cousins.	Parr.
Dayton.	Smith.
Dean.	Strickland.
Dorough.	Suiter.
Dudley.	Westbrook.
Faust.	Witt.
Floyd.	Woods.
Gibson.	

Present—Not Voting.

Rector.

Absent.

Caldwell.

Williford.

Absent—Excused.

Clark.

The bill was laid before the Senate, read third time and, on motion of Senator Dorough, was passed finally.

Senate Bill No. 381.

The Chair laid before the Senate on second reading:

S. B. No. 381, A bill to be entitled "An Act to permit the Artesian Belt Railroad, and the receiver thereof, to take up and remove its railroad construction, heretofore made, from a connection with the Galveston, Harrisburg and San Antonio Railway Company, in the town of Macdona to the town of Kirk, a distance of approximately three and one-tenth miles, in a southeasterly direction, all in Bexar County; and to sell and dispose of same and abandon the same; and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was read second time, and passed to engrossment.

On motion of Senator Hertzberg the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 381 put on its third reading and final passage by the following vote:

Yeas—23.

Alderdice.	Hertzberg.
Bailey.	Hopkins.
Bell.	Johnston.
Buchanan of Bell.	McNealus.
Buchanan of Scurry.	Parr.
Carlock.	Smith.
Cousins.	Strickland.
Dayton.	Suiter.
Dorough.	Westbrook.
Dudley.	Witt.
Faust.	Woods.
Hall.	

Present—Not Voting.

Rector.

Absent.

Caldwell.

Gibson.

Dean.

Page.

Floyd.

Williford.

Absent—Excused.

Clark.

The bill was laid before the Senate, read third time and, on motion of Senator Hertzberg, was passed by the following vote:

Yeas—22.

Alderdice.	Hertzberg.
Bailey.	Hopkins.
Bell.	Johnston.
Buchanan of Scurry.	McNealus.
Carlock.	Page.
Cousins.	Parr.
Dayton.	Smith.
Dorough.	Suiter.
Dudley.	Westbrook.
Faust.	Witt.
Gibson.	Woods.

Present—Not Voting.

Rector.

Absent.

Buchanan of Bell.

Hall.

Caldwell.

Strickland.

Dean.

Williford.

Floyd.

Absent—Excused.

Clark.

**House Bill No. 510.**

Senator Cousins called up and the Chair laid before the Senate on second reading:

H. B. No. 510, A bill to be entitled "An Act to amend Sections 1, 2 and 9 of the Winnie Independent School District in the Counties of Chambers and Jefferson, in the State of Texas, passed by the Fourth Called Session of the Thirty-fifth Legislature of the State of Texas, and known as House Bill No. 86, Chapter 18, creating the Winnie Independent School District, and providing for the reformation of said district and defining its boundaries thereof, so as to hereafter read as follows, to-wit: and declaring an emergency."

The bill was read second time, and passed to its third reading.

On motion of Senator Cousins the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 510 put on its third reading and final passage by the following vote:

**Yeas—24.**

Alderdice.	Hall.
Bailey.	Hertzberg.
Bell.	Hopkins.
Buchanan of Scurry.	McNealus.
Carlock.	Page.
Cousins.	Parr.
Dayton.	Smith.
Dean.	Strickland.
Dorough.	Suiter.
Dudley.	Westbrook.
Faust.	Witt.
Gibson.	Woods.

**Absent.**

Buchanan of Bell.	Johnston.
Caldwell.	Rector.
Floyd.	Williford.

**Absent—Excused.**

Clark.

The bill was laid before the Senate, read third time and, on motion of Senator Cousins, was passed by the following vote:

**Yeas—26.**

Alderdice.	Buchanan of Scurry.
Bailey.	Carlock.
Bell.	Cousins.
Buchanan of Bell.	Dayton.

Dean.	McNealus.
Dorough.	Page.
Dudley.	Parr.
Faust.	Smith.
Gibson.	Strickland.
Hall.	Suiter.
Hertzberg.	Westbrook.
Hopkins.	Witt.
Johnston.	Woods.

**Absent.**

Caldwell.	Rector.
Floyd.	Williford.

**Absent—Excused.**

Clark.

**Senate Bill No. 290.**

The Chair laid before the Senate on second reading:

S. B. No. 290, A bill to be entitled "An Act to amend Article 1206, of the Revised Civil Statutes of 1911, so as to provide that the dissolution of a corporation shall not operate to provide that suit may be maintained against the president, directors, general manager, trustee or assignee of such corporation, and providing that assets of said corporation shall be subject to the payment of judgments, and declaring an emergency."

The bill was read second time, and passed to engrossment.

On motion of Senator Hopkins the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 290 put on its third reading and final passage by the following vote:

**Yeas—23.**

Alderdice.	Hertzberg.
Bailey.	Hopkins.
Buchanan of Bell.	Johnston.
Buchanan of Scurry.	Page.
Carlock.	Parr.
Cousins.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Witt.
Faust.	Woods.
Hall.	

**Absent.**

Bell.	McNealus.
Caldwell.	Rector.
Floyd.	Williford.
Gibson.	

**Absent—Excused.**

Clark.

The bill was laid before the Senate, read third time and, on motion of Senator Hopkins, was passed finally.

**Message From the House.**

Hall of the House of Representatives,  
Austin, Texas, March 7, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has

Concured in Senate Amendments to H. B. No. 88.

The House grants the request of the Senate for a conference committee on S. B. No. 227, and the following have been appointed to act on the part of the House: Messrs. Hornby, Atlee, Seward, Kellis and Terrell.

The House grants the request of the Senate for a conference committee on S. C. R. No. 11, and the following have been appointed to act on the part of the House: Messrs. Osborne, Sentell, Davidson, Satterwhite and Tillotson.

Withdrawn the request for S. B. No. 103 to be returned to the House for correction.

Respectfully submitted,

T. B. REESE,

Chief Clerk, House of Representatives.

**Senate Bill No. 300.**

The Chair laid before the Senate on second reading:

S. B. No. 300, A bill to be entitled "An Act to amend Article 7684, of the Revised Civil Statutes of Texas, 1911, by providing a period of limitation, within which action must be brought, to foreclose liens upon land, securing taxes, providing a period within which such lien shall be barred; and to amend Article 7662 of the Revised Civil Statutes of Texas, 1911, relating to liens for taxes, by providing that no delinquent taxpayer shall have the right to plead limitation, by way of defense, against any taxes due by him, or her, either to the State, or any county, city or town, but that the lien created against any real estate involved,

shall be barred after certain periods of time stated in this Act; and by adding Article 7662a, providing a period within which officers, collecting delinquent taxes, shall be paid their costs, and said officers, collecting taxes and keeping records, shall collect their costs, and that unless collected within two (2) years the same shall become barred, and providing that cost of advertising, paid by the State, county or city, together with the interest on said delinquent taxes, shall not be barred; and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Suiter, the Constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 300 put on its third reading and final passage by the following vote:

**Yeas—22.**

Alderdice.	Hertzberg.
Bailey.	Hopkins.
Buchanan of Bell.	Johnston.
Buchanan of Scurry.	McNealus.
Carlock.	Page.
Cousins.	Parr.
Dayton.	Rector.
Dean.	Suiter.
Dudley.	Westbrook.
Faust.	Witt.
Gibson.	Woods.

**Present—Not Voting.**

Strickland.

**Absent.**

Bell.	Hall.
Caldwell.	Smith.
Dorough.	Williford.
Floyd.	

**Absent—Excused.**

Clark.

The bill was laid before the Senate, read third time and, on motion of Senator Suiter, was passed by the following vote:

**Yeas—24.**

Alderdice.	Dean.
Bailey.	Dorough.
Bell.	Dudley.
Buchanan of Bell.	Faust.
Buchanan of Scurry.	Gibson.
Cousins.	Hall.
Dayton.	Hertzberg.

Hopkins.	Smith.
Johnston.	Strickland.
McNealus.	Suiter.
Page.	Westbrook.
Parr.	Witt.

Absent.

Caldwell.	Rector.
Carlock.	Williford.
Floyd.	Woods.

Absent—Excused.

Clark.

**Senate Bill No. 13.**

The Chair laid before the Senate on second reading:

S. B. No. 13, A bill to be entitled "An Act to amend Sections 11, 12, and 13, of Chapter 30 of the Acts of the Regular Session of the Thirty-fifth Legislature so as to abolish the position of Pipe Line Expert, and to define the duties of the Railroad Commission in regard to assembling information to be used as a basis for making rates, levying a tax on crude oil producer, providing for the payment of certain expenses, and declaring an emergency."

On motion of Senator Hopkins the bill was laid on the table subject to call.

**Senate Bill No. 208.**

Senator Hopkins called from the table and the Chair laid before the Senate on second reading:

S. B. No. 208, A bill to be entitled "An Act to amend Article 5684, of the Revised Civil Statutes of 1911, so as to limit the time in which a person, under twenty-one years of age, in the military or naval service of the United States, in the time of war, or of unsound mind, or imprisoned may institute suit for the recovery of real estate, and by adding after said Article a new Article to be known as Article 5684a, so as to provide that a person having the peaceable and adverse possession of the land, tenements or hereditaments, the title to which has passed out of the State, using and enjoying same, under regular recorded chain of title for a period of twenty-five years, shall be conclusively presumed to have a good marketable and incon-

testable title thereto, that abstracts showing such facts shall be deemed a complete abstract of the title to such land, and declaring an emergency."

Senator Hopkins offered the following amendment which was read and adopted:

(1) Amend S. B. No. 208, page 2, by inserting after the word "patented," in line 26 the following:

"that there are no unpaid taxes or encumbrances against the same."

Senator Hopkins offered the following amendment:

(2) Amend S. B. No. 208 by adding at the end of Article 5684a the following:

"Provided that the proof of possession required by this Article may be made by the affidavit of not less than two reputable citizens residing in the community in which the land is located, which shall be duly authenticated and recorded in the office of the County Clerk; provided however, that this Article shall not preclude the person to whom such abstract is submitted from inquiring into the truthfulness of such affidavits and the correctness of such abstract, and if in fact, the possession has not been such as is required by this Article, or if said abstract is not substantially correct he shall not be compelled to accept such abstract, or such title."

Senator Dean offered the following substitute for the amendment.

Amend S. B. No. 208 by striking out all of Section 2 after the word "thereto" line 25, page 2.

Senator Hopkins moved to table the substitute and this motion was lost.

The substitute was substituted and the amendment as substituted was adopted:

The bill was read second time and passed to engrossment.

On motion of Senator Hopkins, the Constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 208 put on its third reading and final passage by the following vote:

Yeas—24.

Alderdice.	Cousins.
Bell.	Dayton.
Buchanan of Bell.	Dean.
Buchanan of Scurry.	Dorough.
Carlock.	Dudley.

Faust.	Page.
Gibson.	Parr.
Hall.	Rector.
Hertzberg.	Smith.
Hopkins.	Strickland.
Johnston.	Witt.
McNealus.	Woods.

Absent.

Bailey.	Suiter.
Caldwell.	Westbrook.
Floyd.	

Absent—Excused.

Clark. Williford.

The bill was laid before the Senate, read third time and, on motion of Senator Hopkins was passed finally.

President Pro Tem Strickland in the Chair.

### Senate Bill No. 333.

The Chair laid before the Senate on second reading:

S. B. No. 333, A bill to be entitled "An Act to amend Section 56 of an Act constituting Chapter 44 of the General Laws of the Fourth Called Session of the Thirty-fifth Legislature, providing for the creation of conservation and reclamation districts, so as to make certain that the re-assessment of benefits permitted by said section shall not render insecure any indebtedness of any district availing itself of the benefits of such section, and declaring an emergency."

The committee report that the bill be printed in the Journal only was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Alderdice, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 333 put on its third reading and final passage by the following vote:

Yeas—22.

Alderdice.	Dean.
Bailey.	Dorough.
Bell.	Dudley.
Buchanan of Bell.	Faust.
Buchanan of Scurry.	Gibson.
Carlock.	Hall.
Cousins.	Hertzberg.
Dayton.	Hopkins.

McNealus.	Smith.
Page.	Strickland.
Parr.	Woods.

Absent.

Caldwell.	Suiter.
Floyd.	Westbrook.
Johnston.	Williford.
Rector.	Witt.

Absent—Excused.

Clark.

The bill was laid before the Senate, read third time and, on motion of Senator Alderdice, was passed by the following vote:

Yeas—23.

Alderdice.	Hall.
Bell.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	Johnston.
Carlock.	McNealus.
Cousins.	Page.
Dayton.	Parr.
Dean.	Rector.
Dorough.	Smith.
Dudley.	Strickland.
Faust.	Woods.
Gibson.	

Absent.

Bailey.	Westbrook.
Caldwell.	Williford.
Floyd.	Witt.
Suiter.	

Absent—Excused.

Clark.

### Senate Bill No. 238.

Senator Buchanan of Bell called up and the Chair laid before the Senate on second reading:

S. B. No. 238, A bill to be entitled "An Act authorizing the Commissioner of the General Land Office to lease the lands owned by the State, under the control and management of the Board of Prison Commissioners known as the penitentiary lands, and the land under the control and management of the Board of the Institution for Training of Juveniles, located in Coryell County, Texas, to any person, firm or corporation desiring the right to prospect for and develop petroleum oil or natural gas thereon; providing that said leases may be executed under the terms and conditions and in the same manner as now provided by law for the leas-

ing of public free school, university and asylum lands; and declaring an emergency."

The question being upon the pending substitute by Senator Dean for the amendment and amendment to the amendment (see page 691) the substitute was substituted.

Senator McNealus offered the following amendment to the pending substitute which was adopted.

(2) Amend the sub-amendment to S. B. No. 238 by adding at the end of same the following:

"The minimum price that any of the lands of the State prison system shall be leased for oil or gas, shall not be less than twenty-five cents per acre per annum in addition to the royalty."

The substitute as amended was then adopted.

Senator Dean offered the following which was read and adopted:

(3) Amend said bill by striking out the caption and inserting in lieu thereof the following:

"An Act authorizing the Prison Commission to lease the lands owned by the State which are under its control and management, to any person, firm, or corporation desiring the rights to prospect for and develop petroleum, oil, gas, or sulphur thereon; authorizing the Prison Commission to prospect for, develop and operate the oil or gas in any of said lands: prescribing the conditions upon which leases may be executed and operations undertaken; authorizing the Commissioner of the General Land Office to lease the lands under the control of the governing board of the institution for the training of juveniles located in Coryell County, Texas, and prescribing the terms and conditions under which such leases may be granted; and declaring an emergency."

The following amendment by Senator Hopkins was read and adopted: Amend S. B. No. 238 by striking out the word "now" in line 1, page 2, original bill.

The bill was read second time and passed to engrossment.

On motion of Senator Buchanan of Bell, the Constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 238 put on its third reading and final passage by the following vote:

Yeas—23.

Alderdice.	Gibson.
Bailey.	Hall.
Bell.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	McNealus.
Carlock.	Page.
Cousins.	Parr.
Dayton.	Smith.
Dean.	Strickland.
Dorough.	Witt.
Dudley.	Woods.
Faust.	

Absent.

Caldwell.	Suiter.
Floyd.	Westbrook.
Johnston.	Williford.
Rector.	

Absent—Excused.

Clark.

The bill was laid before the Senate, read third time and, on motion of Senator Buchanan of Bell, was passed by the following vote:

Yeas—22.

Alderdice.	Gibson.
Bailey.	Hall.
Bell.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	McNealus.
Carlock.	Page.
Cousins.	Parr.
Dayton.	Smith.
Dean.	Strickland.
Dudley.	Witt.
Faust.	Woods.

Absent.

Caldwell.	Rector.
Dorough.	Suiter.
Floyd.	Westbrook.
Johnston.	Williford.

Absent—Excused.

Clark.

#### Senate Bill No. 258.

The Chair laid before the Senate on second reading:

S. B. No. 258, A bill to be entitled "An Act to validate the sales of Public Free School land on condition of settlement, in cases where purchaser settled on the land but failed to get his affidavit in the land office within the time required by law, and in cases where the purchaser was forced



to leave the land on account of the drouth, and in cases where the purchaser was drafted into the services of the United States, and declaring emergency."

Senator Bailey offered the following amendments which were read and adopted:

(1) Amend the bill by inserting in line 23, page 1, of the printed bill after the word "war" the words "with Germany" and amend the caption of the bill by inserting in line 12, page 1, of the printed bill after the words "United States" the words "during the war with Germany."

(2) Amend the bill by inserting in the caption and in Section 1 of the bill after the word "drafted" wherever it occurs the words "or volunteered."

The bill was read second time and passed to engrossment.

On motion of Senator Bailey, the Constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 258 put on its third reading and final passage by the following vote:

Yeas—23.

Alderdice.	Gibson.
Bailey.	Hall.
Bell.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	McNealus.
Carlock.	Page.
Cousins.	Parr.
Dayton.	Smith.
Dean.	Strickland.
Dorough.	Witt.
Dudley.	Woods.
Faust.	

Absent.

Caldwell.	Sulter.
Floyd.	Westbrook.
Johnston.	Williford.
Rector.	

Absent—Excused.

Clark.

The bill was laid before the Senate, read third time, on motion of Senator Bailey, was passed finally.

#### Senate Bill No. 315.

The Chair laid before the Senate on second reading:

S. B. No. 315, A bill to be entitled

"An Act amending Section 2 and Section 19 of Chapter 60 of the Acts of the 35th Legislature, passed at its regular session, providing that the Live Stock Sanitary Commission shall as far as possible destroy and eradicate fever carrying ticks, contagious, infectious and communicable diseases of live stock, and shall establish special quarantine districts, where necessary, providing for notice of the establishment of such quarantine districts, and to quarantine live stock therein or elsewhere, and to prescribe methods for dipping live stock and disinfecting the premises, providing that the sheriffs and constables shall assist such Live Stock Commission and its inspectors in enforcing the provisions of said section, providing compensation for such sheriffs and constables; providing that farmers and stock raisers having herds of less than one hundred cattle shall not be required to dip such cattle until they are first inspected and found to be infected with fever carrying ticks, contagious, infectious or communicable diseases, and declaring an emergency."

The committee report that the bill be printed in the Journal only was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Buchanan of Bell, the Constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 315 put on its third reading and final passage by the following vote:

Yeas—23.

Alderdice.	Hertzberg.
Bailey.	Hopkins.
Bell.	Johnston.
Buchanan of Bell.	Page.
Carlock.	Parr.
Cousins.	Smith.
Dayton.	Strickland.
Dean.	Sulter.
Dudley.	Westbrook.
Faust.	Witt.
Gibson.	Woods.
Hall.	

Absent.

Buchanan of Scurry.	McNealus.
Caldwell.	Rector.
Dorough.	Williford.
Floyd.	

Absent—Excused.

Clark.

On motion of Senator Dudley the bill was set as a special order for 3 o'clock p. m. next Monday.

#### House Joint Resolution—Returned to the House.

Senator Carlock made the following motion:

I move that the Senate grant the request of the House to return to the House H. J. R. No. 7 for further consideration.

CARLOCK.

The motion was read and adopted.

#### Senate Bill No. 350.

The Chair laid before the Senate on second reading:

S. B. No. 350, A bill to be entitled "An Act to conserve the oil and gas resources of the State of Texas; to define 'waste' in the production of said materials, to invest the Railroad Commission of Texas with authority to make and enforce all needful rules and regulations with respect to the conservation of said resources; to employ the necessary supervisors to enforce such rules and regulations, and to prescribe their compensation, the same to be paid out of taxes collected from pipe line companies; prescribing offenses against said Act, and to provide for the punishment therefor; to provide that this Act shall be cumulative with all other laws upon this subject, and declaring an emergency."

Senator Carlock offered the following amendment which was read and adopted.

(1) Amend Senate Bill No. 350, Article 1, page 1, after the word "air" in line 22, by adding the following:

"From a stratum recognized as a natural gas stratum; but this is not intended to have application to gas pockets in high points in strata recognized as oil strata."

At the end of line 25, after the word "lights" add the following:

"Except when casing head gas is used in same."

Amend Article 2, line 31, by strik-

ing out the first word of said line, to wit, the word "or" and substitute in lieu thereof the word "in."

The bill was read second time and passed to engrossment.

On motion of Senator Carlock, the Constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 350 put on its third reading and final passage by the following vote:

Yeas—22.

Alderdice.	Faust.
Bailey.	Gibson.
Beil.	Hall.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Johnston.
Carlock.	Page.
Cousins.	Parr.
Dayton.	Smith.
Dean.	Strickland.
Dorough.	Witt.
Dudley.	Woods.

Nays—3.

Hopkins.	Suiter.
McNealus.	

Present—Not Voting.

Rector.

Absent.

Caldwell.	Westbrook.
Floyd.	

Absent—Excused.

Clark.	Williford.
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The bill was laid before the Senate, read third time and, on motion of Senator Carlock, was passed finally.

Senator Dayton moved to rescind the vote by which the bill was passed and this motion prevailed by unanimous vote.

On motion of Senator Suiter the bill was set as a special order for next Tuesday morning.

#### Senate Bill No. 294.

The Chair laid before the Senate on second reading:

S. B. No. 294, A bill to be entitled "An Act to provide for a general educational survey of the State of Texas, to create a committee, prescribe their duties, make appropriations to carry out the provisions of

this Act and declare an emergency." On motion of Senator Alderdice, the bill was laid on the table subject to call.

### Senate Bill No. 196.

The Chair laid before the Senate on second reading:

S. B. No. 196, A bill to be entitled "An Act to permit garages, automobile supply stations and gasoline and filling stations to remain open and transact business within certain hours on Sunday, and declaring an emergency."

Senator Suiter moved the adoption of the minority (adverse) committee report.

Senator Alderdice moved as a substitute the adoption of the majority (favorable) committee report, and this motion prevailed by the following vote:

Yeas—17.

Alderdice.	Hopkins.
Bailey.	Johnston.
Bell.	McNealus.
Buchanan of Scurry.	Page.
Carlock.	Parr.
Dudley.	Smith.
Faust.	Strickland.
Floyd.	Woods.
Gibson.	

Nays—5.

Dayton.	Hertzberg.
Dean.	Suiter.
Dorough.	

Absent.

Buchanan of Bell.	Rector.
Caldwell.	Westbrook.
Cousins.	Witt.
Hall.	

Absent—Excused.

Clark.	Williford.
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The bill was read second time, and passed to engrossment.

On motion of Senator Alderdice the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 196 put on its third reading and final passage by the following vote:

Yeas—21.

Alderdice.	Carlock.
Bailey.	Cousins.
Bell.	Dayton.
Buchanan of Scurry.	Dean.

Dorough.
Dudley.
Faust.
Floyd.
Gibson.
Hertzberg.
Hopkins.

McNealus.
Page.
Parr.
Smith.
Strickland.
Woods.

Nays—1.

Suiter.

Absent.

Buchanan of Bell.	Rector.
Caldwell.	Westbrook.
Hall.	Witt.
Johnston.	

Absent—Excused.

Clark.	Williford.
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The bill was laid before the Senate, read third time and, on motion of Senator Alderdice, was passed finally.

### Senate Bill No. 242.

Senator McNealus called up and the Chair laid before the Senate on second reading:

S. B. No. 242, A bill to be entitled "An Act to protect the public health of the people of the State of Texas by prohibiting any person, firm or corporation, owner, agent, employee, or person in charge of any public or private school, public building, hall, church, theater, market, playground, park, store, hotel, office building, factory or manufacturing establishment, from keeping, offering, exhibiting or displaying for use any common cup, glass or other receptacle, and from maintaining in or about any lavatory or washroom any towel for common use; defining the words 'common use' and fixing a penalty for violation of the Act; and declaring an emergency."

The bill was read second time, and passed to engrossment.

On motion of Senator McNealus the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 242 put on its third reading and final passage by the following vote:

Yeas—22.

Alderdice.	Cousins.
Bailey.	Dayton.
Bell.	Dean.
Buchanan of Scurry.	Dorough.
Carlock.	Dudley.

Faust.	McNealus.
Floyd.	Page.
Gibson.	Parr.
Hertzberg.	Smith
Hopkins.	Suiter.
Johnston.	Woods.

Absent.

Buchanan of Bell.	Strickland.
Caldwell.	Westbrook.
Hall.	Witt.
Rector.	

Absent—Excused.

Clark.	Williford.
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The bill was laid before the Senate, read third time and, on motion of Senator McNealus, failed to pass by the following vote:

Yeas—10.

Buchanan of Scurry.	Hopkins.
Cousins.	McNealus.
Dudley.	Parr.
Faust.	Strickland.
Hertzberg.	Witt.

Nays—12.

Alderdice.	Floyd.
Bell.	Gibson.
Carlock.	Johnston.
Dayton.	Page.
Dean.	Suiter.
Dorough.	Woods.

Present—Not Voting.

Bailey.

Absent.

Buchanan of Bell.	Rector.
Caldwell.	Smith.
Hall.	Westbrook.

Absent—Excused.

Clark.	Williford.
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#### Message From the House.

Hall of the House of Representatives,  
Austin, Texas, March 7, 1919.

Lieutenant Governor W. A. Johnson,  
President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

H. B. No. 199, A bill to be entitled "An Act making appropriations to cover authorized deficiencies for the fiscal years ending August 31, 1918,

and August 31, 1919, and for outstanding deficiencies to September 1, 1917, and declaring an emergency."

H. B. No. 502, A bill to be entitled "An Act to permit the Texas, Arkansas and Louisiana Railway Company to take up and remove its railroad track heretofore constructed from Atlanta to Bloomburg, Texas, in Cass County, and to sell and dispose of same, together with its locomotive engine and rolling stock and all other property of whatever kind, character and description and wherever located, and to abandon said road and to surrender its charter, and declaring an emergency."

Respectfully submitted,

T. B. REESE,  
Chief Clerk, House of Representatives.

#### Bills Read and Referred.

The Chair, Lieutenant Governor Johnson, had referred, after their captions had been read, the following House bills:

H. B. No. 199, referred to the Committee on Finance.

H. B. No. 502, referred to the Committee on Internal Improvements.

#### Message From the House.

Hall of the House of Representatives,  
Austin, Texas, March 7, 1919.

Lieutenant Governor W. A. Johnson,  
President of the Senate.

Sir: I am directed by the House to inform the Senate that the House Requests the return of S. B. Nos. 220 and 335 for purpose of a roll call.

Respectfully submitted,

T. B. REESE,  
Chief Clerk, House of Representatives.

#### Senate Bills Nos. 220 and 335— Returned to House.

I move that the request of the House for the return of S. B. No. 220 and S. B. No. 335 be granted.

HERTZBERG.

The motion was read and adopted.

#### Senate Bill No. 220 and Senate Bill No. 335.

\*I move that the Senate ask that

the Governor to return to the Senate, Senate Bill No. 220 and Senate Bill No. 335 for correction.

HERTZBERG.

The above motion was read and adopted.

### Senate Bill No. 336.

The Chair laid before the Senate on second reading:

S. B. No. 336, A bill to be entitled "An Act to amend Article 1390, Title 28, Chapter 5, of the Revised Civil Statutes of the State of Texas of 1911, relating to the proceedings for the removal of a county seat.

The bill was read second time, and passed to engrossment.

On motion of Senator Buchanan of Scurry the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 336 put on its third reading and final passage by the following vote:

Yeas—22.

Alderdice.	Floyd.
Bell.	Gibson.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Carlock.	Johnston.
Cousins.	McNealus.
Dayton.	Page.
Dean.	Parr.
Dorough.	Strickland.
Dudley.	Suiter.
Faust.	Woods.

Absent.

Bailey.	Smith.
Caldwell.	Westbrook.
Hall.	Witt.
Rector.	

Absent—Excused.

Clark. Williford.

The bill was laid before the Senate, read third time and, on motion of Senator Buchanan of Scurry, was passed by the following vote:

Yeas—21.

Alderdice.	Dudley.
Bell.	Faust.
Buchanan of Bell.	Floyd.
Buchanan of Scurry.	Gibson.
Carlock.	Hertzberg.
Dayton.	Hopkins.
Dorough.	Johnston.

McNealus.  
Page.  
Parr.  
Strickland.

Suiter.  
Witt.  
Woods.

Absent.

Bailey.	Hall.
Caldwell.	Rector.
Cousins.	Smith.
Dean.	Westbrook.

Absent—Excused.

Clark. Williford.

### Bills Signed.

The Chair, Lieutenant-Governor Johnson, gave notice of signing and did sign in the presence of the Senate, after their captions had been read, the following bills:

H. B. No. 269, A bill to be entitled "An Act to create a more efficient road system for Wood County, etc., and declaring an emergency."

H. B. No. 107, A bill to be entitled "An Act to amend Section 3, Chapter 60, of the General Laws of the Regular Session of the Thirty-fifth Legislature of the State of Texas, so as to confer power upon the Commissioners' Courts to disinfect any district, county or subdivision of a county for the purpose of eradication of fever-carrying ticks and other contagious and infectious or communicable diseases of live stock, and declaring an emergency."

H. B. No. 540, A bill to be entitled "An Act ceating and incorporating Ringgold Independent School District in Montague County, Texas, out of the territory now composing Common School District No. 43 of said county; providing that the title to the school property be vested in such independent school district and that it assume the debt of said common school district; providing for a board of trustees for said district; defining their powers and duties; providing for a treasurer of the school funds and defining his duties; defining the boundaries of said district, and declaring an emergency."

H. B. No. 485, A bill to be entitled "An Act to validate the charter and incorporation of the city of Eagle Pass, adopted by the qualified voters of said city since the enactment of Chapter 147 of the Acts of the Reg-

ular Session of the Thirty-third Legislature, and filed in the office of the Secretary of State, and declaring an emergency."

H. B. No. 294, A bill to be entitled "An Act amending Section 1 of the Local and Special Laws of the Regular Session of the Thirty-fifth Legislature, Chapter 22, page 86, creating the Georgetown Independent School District, by adding thereto territory adjoining same situated in Williamson county for school purposes, and defining its boundaries, and declaring an emergency."

H. B. No. 3, A bill to be entitled "An Act defining and prescribing what shall constitute actionable fraud in this State; and prescribing a rule for damages to be recovered against persons committing fraud as defined in this Act, and declaring an emergency."

H. B. No. 359, A bill to be entitled "An Act creating the McCollum Independent School District in Falls County, Texas; defining its boundaries, providing for the election of a board of trustees to manage and control the public free schools within said district; vesting said district with the rights, powers, privileges and duties of an independent school district in the manner now provided for by general law for independent school districts, and declaring an emergency."

S. B. No. 335, A bill to be entitled "An Act creating the Leaky Independent School District in Rea County, Texas, providing a board of trustees therefor, vesting it with all rights, powers and duties of districts incorporated for school purposes only under the General Laws, and declaring an emergency."

H. B. No. 546, A bill to be entitled "An Act creating and incorporating the Union Independent School District in Terry County, Texas, and defining the boundaries thereof; providing for a board of trustees and defining their powers and authority; authorizing said board of trustees to levy, assess and collect taxes for maintenance and building purposes, and to issue bonds therefor; providing for an Assessor and Collector of Taxes thereof and providing for a board of equalization of said school district; providing for an election of trustees thereof, and declaring an emergency."

H. B. No. 539, A bill to be entitled

"An Act enlarging the Albany Independent School District in Shackelford County, Texas; defining its boundaries as enlarged, and providing for the election of a board of trustees to manage and control the public free schools within said district, provided that none of the land and territory added by this Act to said Albany Independent School District shall be subjected to the payment of any portion of the local maintenance tax now levied, assessed and collected in said district, except insofar as the same may be hereafter voted by the people of said enlarged district, as provided by the General Laws of this State, naming the fiscal year as to taxes, investing said district with all the powers, right and duties of independent school districts formed for free school purposes only, and declaring an emergency."

H. B. No. 537, A bill to be entitled "An Act to repeal Chapter 105 of the Local and Special Laws of the Thirty-first Legislature, creating a special road system for Falls County, Texas, approved March 29, 1911, and to create a more efficient road system for Falls County, Texas, etc., and declaring an emergency."

H. B. No. 566, A bill to be entitled "An Act changing the boundaries of Slaton Independent School District and Common School District No. 14, in Lubbock County, Texas; transferring to Slaton Independent School District a portion of the territory now embraced in Common School District No. 14; describing Slaton Independent School District in Lubbock and Lynn Counties, Texas, by metes and bounds; providing that Slaton Independent School District No. 14, in Lubbock County, Texas, which it is entitled to assume in taking over the additional lands, and declaring an emergency."

S. B. No. 220, A bill to be entitled "Kerr County Road Ssystem creating. An Act subdividing said county into road districts and empowering any political subdivision or any defined district now or hereafter to be designated and defined of said county, by a vote of two-thirds majority of the resident property tax-payers, qualified voters of such political subdivision, or any defined district now or hereafter to be described and defined, thereof, voting thereon to issue bonds of said county, etc."

S. B. No. 270, A bill to be entitled "An Act to create a more efficient road system for the County of Sabine and State of Texas, and making the county commissioners of said county ex-officio road superintendents and prescribing their duties as such, and providing for their compensation as such commissioners; etc."

S. B. No. 366, A bill to be entitled "An Act to repeal Chapter 3, Local and Special Laws, Thirty-first Legislature, First Called Session; providing that the management and control of the schools of the City of Bowie shall be vested in the present board of trustees of the Bowie Independent School District, providing that the taxes in the territory now embraced in the Bowie Independent School District, but without the corporate limits of the city of Bowie shall be levied, assessed, and collected by the proper county authorities of Montague County, Texas, and turned over to the proper authorities of the City of Bowie, Texas, until such time as the city of Bowie shall extend its limits for school purposes only; providing that nothing herein shall affect any taxes levied for the school year of 1918-1919 of the Bowie Independent School District, nor affect any legal obligations outstanding against such district; and declaring an emergency."

H. B. No. 152, A bill to be entitled "An Act to amend Article 7235, of the Revised Civil Statutes of the State of Texas of 1911, by inserting the word 'Harris' among the counties and declaring an emergency."

H. B. No. 564, bill to be entitled "An Act to amend Chapter 14 of the General and Special Laws of the State of Texas, passed at the Third Called Session, of the Thirty-fifth Legislature, entitled 'An Act to create a more efficient road system for Trinity County, Texas, and auxiliary thereto; etc.'"

H. B. No. 531, A bill to be entitled "An Act to create a more efficient road system in Limestone County, Texas, adopting certain provisions of Chapter 2, Title 18, Revised Civil Statutes of 1911, as amended and added to by Chapter 203, Acts of 1917, and Chapter 18, General Laws, Fourth Called Session, etc."

H. B. No. 545, A bill to be entitled "An Act creating the Santa Anna Independent School District in Cole-

man County, Texas; defining its boundaries, etc."

H. B. No. 181, A bill to be entitled "An Act amending Section 6 of Chapter 73, Acts of the Thirty-fifth Legislature, Fourth Called Session, approved April 3, 1918, and providing the compensation to be paid tax collectors for collection of license and transfer fees on automobiles and motor vehicles, and declaring an emergency."

H. B. No. 180, A bill to be entitled "An Act to amend Chapter 153 of the Acts of the Regular Session of the Thirty-third Legislature so as to provide that all corporations that are required by law to pay an annual franchise tax to make a report to the Secretary of State between the first day of March, and prescribing what such report shall contain; providing the date such report shall be made by certain foreign corporations; prescribing penalty for failure to make such report; providing that such report shall be subject to inspection only by persons who are interested directly in the subject matter of such report, and declaring an emergency."

H. B. No. 565, A bill to be entitled "An Act creating the Woodville Independent School District, in Tyler County, Texas; defining its boundaries, etc."

H. B. No. 177, A bill to be entitled "An Act to amend Chapter 85 of the Acts of the Regular Session of the Thirty-fifth Legislature, entitled 'An Act to amend Article 3837 of the Revised Civil Statutes of Texas, 1911,' so as to provide that the filing fees of corporations payable to the Secretary of State under the provisions of Chapter 85 of the Acts of the Regular Session of the Thirty-fifth Legislature, entitled 'An Act to amend Article 3837, Chapter 1, Title 58 of the Revised Civil Statutes of the State of Texas, 1911,' shall be based upon the authorized capital stock of domestic corporations and upon the amount of capital stock actually subscribed by foreign corporations, and that such filing fees shall not exceed the sum of twenty-five hundred dollars, and declaring an emergency."

H. B. No. 178, A bill to be entitled "An Act to amend Chapter 84 of the Acts of the Regular Session of the Thirty-fifth Legislature, entitled 'An Act to amend Article 7394 of the Revised Civil Statutes of Texas, 1911,' so as to provide that the fran-

chise tax on foreign corporations, therein levied, shall be based upon that portion of the total authorized capital stock, plus the surplus and undivided profits, if any, of such corporation, as the gross receipts of such corporation from its Texas business bears to its total gross receipts, and providing a minimum franchise tax to be paid by foreign corporations, and declaring an emergency."

H. B. No. 519, A bill to be entitled "An Act to amend Sections 4 and 7 of Chapter 95 of Local and Special Laws of the State of Texas, passed at the Regular Session of the Thirty-third Legislature of the State of Texas relating to the issuance of road improvement bonds by Navarro County or any political subdivision thereof, and declaring an emergency."

H. B. No. 476, A bill to be entitled "An Act to amend Sections 2, 5, 8, 10, 16 and 17, of the special road law for Baylor County passed by the Regular Session of the Thirty-third Legislature, approved April 1, 1913, to provide for the compensation of county commissioners when acting as road commissioners, to limit the days per month each commissioner can receive pay as road commissioner to provide for the compensation for hands and teams for road work in said county, to provide for the time of the reports of road overseers and for their compensation for the excess of days over five days they may serve in any one year, to exempt any citizen from road duty for any year upon his payment to the county of three and 50-100 (\$3.50) dollars, and to provide that the county clerk attach to road overseers' commissions a list of names of those who have paid the \$3.50, and declaring an emergency."

H. B. No. 440, A bill to be entitled "An Act creating the Petersburg Independent School District, situated in Hale County, Texas; defining its metes and bounds; vesting it with rights, powers, duties and privileges of independent districts incorporated for school purposes only under the general laws; providing for a board of trustees therefor; providing for a board of equalization and prescribing the duties and authority of said board and of said trustees; declaring valid an issue of bonds heretofore voted; declaring valid all debts

owing to and by said district, and declaring an emergency."

H. C. R. No. 32, "That the \$60,000,000 of cotton tax collected during the Civil War, be returned to the Confederate Soldiers by the National Government."

H. B. No. 278, A bill to be entitled "An Act to provide for the recording of official discharges of soldiers sailors and other persons in the service of the United States in the war with Germany and Austria-Hungary; authorizing the commissioners court to expend county funds to provide necessary books for said purpose; making it the duty of the county clerk of each county to make such record; directing the payment to the county clerk out of county funds of a fee for said services, and declaring an emergency."

H. B. No. 550, A bill to be entitled "An Act to create Common School District No. 20, in Borden County, Texas, out of territory heretofore included within the boundaries of Common School District No. 1 of said county, and providing that the territory and property within said Common School District No. 20 shall continue to be subject to taxation for the payment of the principal, interest and sinking funds of any and all bond issues heretofore issued by said Common School District No. 1 and still unpaid; and conferring upon the county board of trustees of Borden County the same powers of control over said Common School District No. 20 as they have under law over other common school districts of like class in said county."

S. B. No. 203, A bill to be entitled "An Act providing that the Industrial Accident Board of this State shall not be made a party defendant to any suit to set aside any final ruling and decision made by such board; providing that the Industrial Accident Board shall be dismissed with its costs from all suits now pending for such purpose; providing that in event Section 2 of this bill is for any reason held invalid, such holding shall not affect the remainder of the bill, and declaring an emergency."

H. B. No. 150, A bill to be entitled "An Act to amend Section 1, of Chapter 88, Acts of the Regular Session of the Thirty-third Legislature of 1913, of the State of Texas, changing the maximum penalty prescribed (\$250.00) dollars to two hundred



(\$200.00) dollars, and declaring an emergency."

H. J. R. No. 13, Proposing to amend Section 49 of Article 3 of the Constitution of the State of Texas relating to the power to create debts by or on behalf of the State, so as hereafter to authorize the Legislature to enact a law directing the issuance of bonds by the Governor of the State in a sum not to exceed seventy-five million (\$75,000,000) dollars, the proceeds of said bonds to be used in the construction of durable, hard surfaced roads upon public highways of the State.

H. B. No. 498, A bill to be entitled "An Act creating the Tatum Independent School District in Rusk and Panola Counties, Texas; defining its boundaries; providing for a board of trustees to manage and control the public free schools within said district; and the title of all property now held and used for public school purposes; investing powers, privileges and duties of a town or village incorporated for free school purposes only under the general laws; creating the trustees of said independent school district as a board of equalization thereof, and conferring upon them the powers, etc., given by the general laws, and declaring an emergency."

S. C. R. 31, Relating to deposit of trust fund by Comptroller.

#### Senate Bill No. 299.

The Chair laid before the Senate on second reading:

S. B. No. 299, A bill to be entitled "An Act to make certain deficiency appropriations out of the general revenue for the Girls' Training School, Gainesville, Texas, for the fiscal year ending August 31, 1919, and declaring an emergency."

The committee report carrying amendments was adopted.

The bill was read second time, and passed to engrossment.

On motion of Senator Dayton the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 299 put on its third reading and final passage by the following vote:

Yeas—22.

Alderdice.	Buchanan of Bell.
Bell.	Buchanan of Scurry.

Carlock.  
Cousins.  
Dayton.  
Dorough.  
Dudley.  
Faust.  
Gibson.  
Hertzberg.  
Hopkins.

Johnston.  
McNealus.  
Page.  
Parr.  
Smith.  
Strickland.  
Suiter.  
Witt.  
Woods.

Absent.

Bailey.  
Caldwell.  
Dean.  
Floyd.

Hall.  
Rector.  
Westbrook.

Absent—Excused.

Clark.

Williford.

The bill was laid before the Senate, read third time and, on motion of Senator Dayton, was passed by the following vote:

Yeas—21.

Alderdice.	Gibson.
Bell.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	Johnston.
Carlock.	McNealus.
Cousins.	Page.
Dayton.	Parr.
Dean.	Smith.
Dorough.	Strickland.
Dudley.	Witt.
Faust.	

Nays—3.

Suiter.  
Westbrook.

Woods.

Absent.

Bailey.  
Caldwell.  
Floyd.

Hall.  
Rector.

Absent—Excused.

Clark.

Williford.

#### Senate Bill No. 307.

The Chair laid before the Senate on second reading:

S. B. No. 307, A bill to be entitled "An Act to amend Article 167, Chapter II, Title 10, of the Revised Civil Statutes of the State of Texas of 1911, relating to the treatment and maintenance of patients in the Pasteur Hospital, and declaring an emergency."

The bill was read second time, and passed to engrossment.

On motion of Senator Hertzberg the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 307 put on its third reading and final passage by the following vote:

Yeas—23.

Alderdice.	Gibson.
Bailey.	Hertzberg.
Bell.	Hopkins.
Buchanan of Bell.	Johnston.
Buchanan of Scurry.	Page.
Cousins.	Parr.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Witt.
Faust.	Woods.
Floyd.	

Absent.

Caldwell.	McNealus.
Carlock.	Rector.
Hall.	Smith.

Absent—Excused.

Clark. Williford.

The bill was laid before the Senate, read third time and, on motion of Senator Hertzberg, was passed finally.

#### Senate Bill No. 263.

The Chair laid before the Senate on second reading:

S. B. No. 263, A bill to be entitled "An Act conferring power upon the Railroad Commission of Texas to require non-grade crossings, where the public interest requires them, at all crossings on the lines of steam railways, crossing the lines of steam and interurban railways, at crossings of the lines of interurban railways, and at crossings of the lines of steam or interurban railways with public highways, to apportion the costs thereof amongst the owners, etc., of such railways or between the owners, etc., and declaring an emergency."

On motion of Senator Suiter, the bill was laid on the table subject to call.

#### House Bill No. 456.

The Chair laid before the Senate on second reading:

H. B. No. 456, A bill to be entitled

"An Act to prohibit the sale under execution, deed of trust, mortgage or lien of property belonging to soldiers and sailors in the service of the United States, or those who have served as such, during the present war, until twelve months after their discharge, and declaring an emergency."

The committee report carrying amendments was adopted.

The bill was read second time, and passed to its third reading.

On motion of Senator Woods the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 456 put on its third reading and final passage by the following vote:

Yeas—26.

Alderdice.	Gibson.
Bailey.	Hall.
Bell.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	Johnston.
Carlock.	McNealus.
Cousins.	Page.
Dayton.	Parr.
Dean.	Smith.
Dorough.	Suiter.
Dudley.	Westbrook.
Faust.	Witt.
Floyd.	Woods.

Absent.

Caldwell.	Strickland.
Rector.	Williford.

Absent—Excused.

Clark.

The bill was laid before the Senate, read third time and, on motion of Senator Woods, was passed by the following vote:

Yeas—22.

Alderdice.	Floyd.
Bailey.	Gibson.
Bell.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	Johnston.
Carlock.	McNealus.
Dayton.	Page.
Dean.	Parr.
Dorough.	Smith.
Dudley.	Suiter.
Faust.	Woods.

Absent.

Caldwell.	Cousins.
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Hall.	Westbrook.
Rector.	Williford.
Strickland.	Witt.

Absent—Excused.

Clark.

### Senate Bill No. 391.

Senator McNealus moved that the constitutional rule requiring bills to be read on three several days be suspended and S. B. No. 391 put on its second reading.

The motion prevailed by the following vote:

Yeas—22.

Alderdice.	Gibson.
Bailey.	Hertzberg.
Bell.	Hopkins.
Buchanan of Bell.	Johnston.
Buchanan of Scurry.	McNealus.
Carlock.	Page.
Dean.	Parr.
Dorough.	Smith.
Dudley.	Sulter.
Faust.	Westbrook.
Floyd.	Woods.

Absent.

Caldwell.	Rector.
Cousins.	Strickland.
Dayton.	Williford.
Hall.	Witt.

Absent—Excused.

Clark.

The Chair laid before the Senate on second reading:

S. B. No. 391, A bill to be entitled "An Act to create a more efficient road system for Rockwall County, etc., and declaring an emergency."

The Senate rule requiring committee reports to lie over for one day was suspended.

The committee report that the bill be not printed was adopted.

The bill was read second time, and passed to engrossment.

On motion of Senator McNealus the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 391 put on its third reading and final passage by the following vote:

Yeas—22.

Alderdice.	Bailey.
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Bell.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	Johnston.
Carlock.	McNealus.
Cousins.	Page.
Dean.	Parr.
Dorough.	Smith.
Dudley.	Sulter.
Faust.	Westbrook.
Floyd.	Woods.

Absent.

Caldwell.	Rector.
Dayton.	Strickland.
Gibson.	Williford.
Hall.	Witt.

Absent—Excused.

Clark.

The bill was laid before the Senate read third time and, on motion of Senator McNealus was passed by the following vote:

Yeas—23.

Alderdice.	Gibson.
Bailey.	Hertzberg.
Bell.	Hopkins.
Buchanan of Bell.	Johnston.
Buchanan of Scurry.	McNealus.
Carlock.	Page.
Cousins.	Parr.
Dean.	Smith.
Dorough.	Sulter.
Dudley.	Westbrook.
Faust.	Woods.
Floyd.	

Absent.

Caldwell.	Strickland.
Dayton.	Williford.
Hall.	Witt.
Rector.	

Absent—Excused.

Clark.

### Senate Joint Resolution No. 22.

The Chair laid before the Senate on second reading:

S. J. R. No. 22, A joint resolution proposing to amend Section 3, Article 7, of the Constitution of the State of Texas, so as to authorize the levy and collection of a county school tax of not to exceed fifty cents on the hundred dollars valuation for public free school purposes.

On motion of Senator Alderdice, the resolution was passed to engrossment.

**Adjournment.**

At 5:40 o'clock p. m. Senator Carlock moved that the Senate adjourn until 10 o'clock Monday morning.

As a substitute, Senator Floyd moved to adjourn to 10 o'clock tomorrow.

Action recurred on the longest time first, and the motion to adjourn until 10 o'clock Monday morning prevailed by the following vote:

**Yeas—13.**

Bailey.	Hertzberg.
Bell.	Johnston.
Carlock.	Page.
Dorough.	Parr.
Dudley.	Witt.
Faust.	Woods.
Gibson.	

**Nays—8.**

Alderdice.	Floyd.
Buchanan of Scurry.	Hopkins.
Cousins.	Smith.
Dayton.	Suiter.

Present—Not Voting.

Dean.

**Absent.**

Buchanan of Bell.	Rector.
Caldwell.	Strickland.
Hall.	Westbrook.
McNealus.	Willford.

Absent—Excused.

Clark.

**APPENDIX.****Petitions and Memorials.**

Senator Floyd offered a letter opposing the abolishment of the State Agricultural Department.

**Engrossing Committee Reports.**

Committee Room,  
Austin, Texas, March 7, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Engrossed Bills have had Senate Bill No. 269 carefully compared and find same to be correctly engrossed.

FAUST, Chairman.

Committee Room,  
Austin, Texas, March 6, 1919.  
Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Engrossed Bills have had Senate Bill No. 374 carefully compared and find same to be correctly engrossed.

FAUST, Chairman.

Committee Room,  
Austin, Texas, March 6, 1919.  
Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Engrossed Bills have had Senate Bill No. 250 carefully compared and find same to be correctly engrossed.

FAUST, Chairman.

Committee Room,  
Austin, Texas, March 6, 1919.  
Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Engrossed Bills have had Senate Bill No. 174 carefully compared and find same to be correctly engrossed.

FAUST, Chairman.

Committee Room,  
Austin, Texas, March 6, 1919.  
Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Engrossed Bills have had Senate Bill No. 257 carefully compared and find same to be correctly engrossed.

FAUST, Chairman.

Committee Room,  
Austin, Texas, March 6, 1919.  
Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Engrossed Bills have had Senate Bill No. 353 carefully compared and find same to be correctly engrossed.

FAUST, Chairman.

Committee Room,  
Austin, Texas, March 7, 1919.  
Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Engrossed Bills have had Senate Bill No. 28 carefully compared and find same to be correctly engrossed.

FAUST, Chairman.

Committee Room,  
Austin, Texas, March 7, 1919.  
Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Engrossed Bills have had Senate Joint

Resolution No. 12 carefully compared and find same to be correctly engrossed.

FAUST, Chairman.

Committee Room,  
Austin, Texas, March 7, 1919.  
Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Engrossed Bills have had Senate Bill No. 255 carefully compared and find same to be correctly engrossed.

FAUST, Chairman.

Committee Room,  
Austin, Texas, March 7, 1919.  
Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Engrossed Bills have had Senate Bill No. 52 carefully compared and find same to be correctly engrossed.

FAUST, Chairman.

Committee Room,  
Austin, Texas, March 7, 1919.  
Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Engrossed Bills have had Senate Bill No. 290 carefully compared and find same to be correctly engrossed.

FAUST, Chairman.

Committee Room,  
Austin, Texas, March 7, 1919.  
Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Engrossed Bills have had Senate Bill No. 381 carefully compared and find same to be correctly engrossed.

FAUST, Chairman.

Committee Room,  
Austin, Texas, March 7, 1919.  
Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Engrossed Bills have had Senate Bill No. 208 carefully compared and find same to be correctly engrossed.

FAUST, Chairman.

#### Committee Reports.

Senate Chamber,  
Austin, Texas, March 7, 1919.  
Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

H. B. No. 263, A bill to be entitled "An Act to authorize the Comptroller

of Public Accounts of the State of Texas to use any and all of the surplus funds heretofore appropriated by the Legislature for the Comptroller's Department for the year ending August 31st, 1919, which have accumulated, or which may hereafter accumulate during the present fiscal year, by reason of the abolishment, discontinuance or consolidation of the desks or items for said Department, for the purposes herein specified, in order that the duties of the State Pension Commissioner and State Revenue Agent heretofore imposed upon the Comptroller by the Legislature may be properly performed without entailing additional appropriations for the present fiscal year; conferring the powers and duties heretofore vested by law in the State Pension Commissioner and State Revenue Agent upon the Comptroller; and declaring an emergency."

Have had the same under consideration and beg to report it back to the Senate with the recommendation that it do not pass, but that Senate Finance Committee Substitute do pass, with the following committee amendments:

Strike out "To pay salary of Gross Receipts Tax Clerk for six months \$1000" and insert in lieu thereof "Additional Salary of Gross Receipts Tax Clerk for six months, \$250.00."

Strike out "To pay salary of Chief Pension Clerk for six months, \$1000.00" and insert in lieu thereof: "To pay additional salary of Chief Pension Clerk for six months, \$100.00."

Strike out "To pay salary of Chief Bookkeeper of Warrant Division for six months, \$100.00," and insert in lieu thereof: "To pay additional salary of Chief Bookkeeper of Warrant Division for six months, \$250.00," and same to be printed in the Journal only.

WESTBROOK, Chairman.

Committee, Room,  
Austin, Texas, March 7, 1919.  
Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Educational Affairs, to whom was referred House Bill No. 601 have had the same under consideration and I am directed to report it favorably with the recommendation that it do pass, and be not printed.

ALDERDICE, Chairman.

Committee, Room,  
Austin, Texas, March 7, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Educational Affairs, to whom was referred Senate Bill No. 390 have had the same under consideration and I am directed to report it favorably with the recommendation that it do pass, and be not printed.

ALDERDICE, Chairman.

Committee, Room,  
Austin, Texas, March 7, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Mining and Irrigation, to whom was referred S. B. No. 388, Being a bill to be entitled "An Act to amend Sections 2, 3, 4, 5, and 8, of Chapter 83 of the Acts of the Regular Session of the Thirty-fifth Legislature, of the State of Texas, so as to provide the manner in which mineral lands shall be advertised and leased, fixing royalties and compensation for the use of the surface, repealing all laws in conflict and declaring an emergency,"

Have had the same under consideration and beg to report it back to the Senate with the recommendation that it do pass and be not printed, but be printed in the Journal.

DUDLEY, Chairman.

By Hopkins, Suiter, S. B. No. 388

A BILL  
To Be Entitled

An Act to amend Sections 2, 3, 4, 5, and 8 of Chapter 83 of the Acts of the Regular Session of the Thirty-fifth Legislature, of the State of Texas, so as to provide the manner in which mineral lands shall be advertised, and leased, fixing royalties and compensation for the use of the surface, repealing all laws in conflict, and declaring an emergency.

Be It Enacted by the Legislature of the State of Texas:

Section 1. That Sections 2, 3, 4, 5, and 8 of Chapter 83 of the Acts of the Regular Session of the Thirty-fifth Legislature of the State of Texas, be and the same are amended so as to hereafter read as follows:

Section 2. The Commissioner of the General Land Office shall make a list of all surveys or tracts of land in which the State owns the mineral

rights, giving therein a brief designation of the surveys or tracts and the unsurveyed tracts, the terms upon which a permit to develop for oil and gas may be obtained thereon and the date bids for such permits will be opened, and have such lists printed and ready for free distribution at least thirty days prior to the time said bids will be received and opened and as herein provided; which lists shall be added to from time to time by the addition thereto of such tracts of land as may become subject to lease under the provisions of this Act or that may come to the knowledge of the Commissioner of the General Land Office provided that if any person shall locate any land not shown by the records in the General Land Office to be subject to the provision of this Act, such person may make application to the Commissioner of the General Land Office to have such land surveyed, tendering a reasonable amount to cover the expenses of such survey, and such lands shall be surveyed and placed upon such list and the person so locating such land shall have the preference right of leasing such land for the purposes of this Act at the highest price that may be offered therefore, which preference may be exercised at any time not later than ten days after such bids are opened and in the event a permit for the development of such land is issued and the amount of bonus bid therefor exceeds the amount of surveying fees deposited by such person the Commissioner of the General Land Office shall refund to him the amount so deposited, but if the amount so bid for such permit does not exceed the amount of surveying fees deposited, such person shall not be entitled to any refund. The cost of printing such lists shall be paid for out of the appropriation for public printing. The Commissioner of the General Land Office shall make the list herein provided for by counties, and no person shall be entitled to the preference for locating land in any county until the list made by the Commissioner for such county has been completed.

Section 3. Any person, firm, or corporation being a citizen of the United States, who desires to obtain the right to prospect for and develop the minerals and substances named in this chapter may on or before the 15th day of January, April, July and October

of each year file with the Commissioner of the General Land Office, in an envelope marked "Bids to lease mineral lands," and showing the day such bids shall be opened. bids for the lease of any lands subject to lease under the provisions of this chapter and such persons shall specify the amount of bonus per acre bid for each tract of land, accompanying such bid with the amount thereof in money or an irrevocable check certified to by some solvent bank or trust company, or other form collectible on demand and convertible into money without discount or exchange, and shall in addition to such bonus pay to the State the royalties as herein provided.

Section 4. At ten o'clock in the morning on the 15th day of each January, April July and October hereafter or in case such day comes on a legal holiday, on the first business day thereafter, the Commissioner of the General Land Office shall in his office, in the presence of such persons as desire to be present, open all bids that have been filed since the last day bids were opened as herein provided, for the lease of lands under the provisions of this chapter, and the person who has offered the highest amount of bonus, to be not less than ten cents per acre, for a lease for the development for minerals under the provisions of this chapter, shall be awarded a permit on the tract of land specified in this chapter carrying with it the exclusive right to prospect for and to develop for such minerals within the designated area for a term of not to exceed two years.

Section 5. All persons acquiring a lease to develop for oil and natural gas on any land under the provisions of this chapter shall in addition to paying the bonus above provided for, pay to the Commissioner of the General Land Office, a royalty of not less than one-eighth of the gross production of the oil and gas produced upon such leased premises; and in case it is the opinion of the Commissioner of the General Land Office that any land should be leased for a greater royalty than that above specified, he may fix such reasonable royalty in excess of that here specified upon which such land shall be leased which shall be specified in said printed lists, and any bids for the lease thereof shall be based upon such increased royalty. No person, firm, or corporation shall be permitted to lease more than 2560 acres

of contiguous land under the provisions of this chapter and not exceeding 10,240 acres altogether and no person shall be entitled to lease more than 200 acres in one tract within three miles of any producing well or any well then being drilled for oil or gas.

Section 8. In the event the surface of an area included in the operations of this Act has heretofore been or may hereafter be acquired by one prior to the filing of an application under the provisions herein such area shall nevertheless be subject to prospect and lease as provided herein but the owner of the permit or lease shall pay to the owner of the surface annually in advance during the life of the permit or lease, twenty-five per cent of the average amount for which such property has been rendered for taxes during the ten years preceding the date of such permit for the land actually used, and such sum shall be full compensation for all damages to the surface.

Section 2. That all laws or parts of laws in conflict herewith are hereby repealed.

Section 3. The fact that the law in regard to the leasing of mineral lands is inadequate creates an emergency and an imperative public necessity calling for the suspension of the constitutional rule requiring bills to be read on three several days be suspended, and said rule is hereby suspended and this Act shall take effect and be in force from and after its passage, and it is so enacted.

#### (Floor Report)

Senate Chamber,

Austin, Texas, March 7, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Educational Affairs, to whom was referred H. B. No. 604, A bill to be entitled "An Act creating, establishing and incorporating the Donna Independent School District in Hidalgo County, Texas, and declaring an emergency,"

Have had the same under consideration and recommend that it do pass, and be not printed.

ALDERDICE, Chairman.

Committee Room,

Austin, Texas, March 7, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Educa-

tional Affairs, to whom was referred House Bill No. 602, have had the same under consideration and I am directed to report it favorably with the recommendation that it do pass, and be not printed.

ALDERDICE, Chairman.

Committee Room,

Austin, Texas, March 7, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred

S. B. No. 372, Being a bill to be entitled "An Act to provide for the payment of witnesses brought before the Court of Criminal Appeals on any hearing requiring the production of oral testimony; to provide that such witness shall receive the same compensation as witnesses in ordinary felony cases, and that the officers summoning said witnesses shall be paid the same fees as for like services in ordinary felony cases: repealing all laws in conflict herewith; and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate, with the recommendation that it do pass; and that it be not printed in bill form but be printed in the Journal.

SUITER, Chairman.

Committee Room,

Austin, Texas, March 7, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred

S. B. No. 324, Being a bill to be entitled "An Act to make it unlawful for any person employed as Auditor or Accountant, or who may hereafter be employed to do auditing work for the State of Texas, or any county, municipality, or any legally authorized committee, to knowingly make a false report of their findings; prescribing a penalty; and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

SUITER, Chairman.

Committee Room,

Austin, Texas, March 7, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on

Criminal Jurisprudence, to whom was referred

S. B. No. 368, Being a bill to be entitled "An Act to prohibit the publishing of articles, comments, and criticisms in newspapers, periodicals, posters, and circulars, in a foreign language, without printing opposite to such article, comment or criticism, a correct translation of the same into the English language, when such article or comment relates to the Governmental affairs, any officer, or candidate for office, municipal, county, State or National; prohibiting the sale or distribution of any newspaper, magazine or periodical containing any such prohibited article, comment or criticism; prescribing penalties therefor, etc.,"

Have had the same under consideration, and I am instructed to report it back to the Senate, with the recommendation that it do pass.

SUITER, Chairman.

Committee Room,

Austin, Texas, March 7, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred

S. B. No. 355, Being a bill to be entitled "An Act declaring that any person, firm, corporation or association, or persons in this State who may engage in, pursue, carry on, or maintain any of the following described occupations or callings, under the circumstances and conditions herein described, are declared to be creators and promoters of a public nuisance, and may be enjoined at the suit of either the Attorney General, the County or District Attorney in the behalf of the State, being any person, firm, corporation, or association of persons who is the proprietor of any place of public amusement or the agent or employe of such person, firm or corporation or association of persons, who shall permit his place of business, or place of public amusement to be opened for the purpose of traffic of public amusement on Sunday; the term "place of public amusement" shall be construed to mean circuses, theatres, vaudeville theatres, variety theatres, and such other amusements as are exhibited, and for which an admission fee is charged and shall also include dances, disorderly houses and low dives of like character, with or without fees for admission; that it



is the duty of such officers to file such suits upon information when furnished them by reputable citizens of the State; providing that the procedure in all cases brought under the provisions of this Act shall be the same as in other suits for injunction as near as may be; provided that when suit is brought in the name of the State, by any officer, aforesaid, the petition for injunction need not be verified; providing that if suit is brought by the Attorney General, venue thereof may be had either in the county where the act or offense is committed or Travis county, Texas; that this Act shall be cumulative of all other laws; prescribing methods of procuring testimony; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate, with the recommendation that it do pass.

SUITER, Chairman.

(Floor Report)

Senate Chamber,

Austin, Texas, March 6, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Roads, Bridges and Ferries, to whom was referred

S. B. No. 391, A bill to be entitled "An Act to amend the Special Road Law for Rockwall county, Texas, enacted by the Regular Session of the Thirty-third Legislature, 1913, the same being an Act to create a more efficient road law for Rockwall county, Texas, making the county commissioners ex-officio road supervisors and defining their duties and limiting their powers relative to the roads and bridges of said county and the construction of graveled, rock, macadamized, concrete or paved roads in said Rockwall county, and defining the duties and powers of said court in relation thereto, and making county commissioners ex-officio road supervisors of their respective districts and providing for the appointment and selection of four assistant road supervisors in said county and prescribing the duties and compensation of said assistant road supervisors and providing for the employment of a county engineer and prescribing the mode of his employment and the terms of employment and his duty and compensation and for assistant county engineer or engineers, fixing their

bond and prescribing their qualification, compensation, and duties; and providing for the laying out, opening, draining, grading, construction, building, repair and maintenance of the roads or said county and the classification and abandonment thereof; and providing for the letting of contracts in the building and construction of graveled, rock, macadamized and concrete roads as aforesaid and the purchase of supplies therefor; regulating the traffic on improved roads in Rockwall county, and prescribing penalties and punishment for the violation thereof; and for designation and numbering of highways to be built out of the proceeds of bonds voted on the 15th day of February, 1919, and declaring an emergency."

Have had the same under consideration and beg leave to report the same back to the Senate with the recommendation that it do pass, and be not printed.

Woods, Chairman; Carlock, Page, Strickland.

(Floor Report)

Senate Chamber,

Austin, Texas, March 7, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Roads, Bridges and Ferries, to whom was referred

H. B. No. 562, A bill to be entitled "An Act to amend Sections 2, 6, 7, 10, 12, and 14 of Chapter 47, Acts of Thirty-fourth Legislature passed at its Regular Session, being 'An Act to create a more efficient road system for Mills county' so as to prescribe how road and bridge taxes collected from persons and upon property in incorporated cities and towns in said county shall be expended; so as to provide for the hiring of engineers to supervise construction and maintenance work; so as to provide for increased compensation to be paid road hands, and for teams; defining a good days work; increasing the compensation to be paid road overseers; increasing the amount to be paid in lieu of road duty; and to secure exemption from road duty, and declaring an emergency,"

Have had the same under consideration, and beg leave to report the same back to the Senate with the recom-

amendment that it do pass, and be not printed.

Woods, Chairman; Page, Carlock, Strickland.

(Floor Report)

Senate Chamber,  
Austin, Texas, March 7, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Roads, Bridges and Ferries, to whom was referred

H. B. No. 539, A bill to be entitled "An Act amending Chapter 45, House Bill No. 531, of the Special laws of Texas, enacted by the Thirty-fourth Legislature, the same being 'An Act creating a special road law for Camp county, Texas, etc., and declaring an emergency,' "

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass, and be not printed.

Woods, Chairman; Page, Carlock, Strickland.

(Floor Report)

Senate Chamber,  
Austin, Texas, March 7, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Roads, Bridges and Ferries, to whom was referred

H. B. No. 560, A bill to be entitled "An Act amending House Bill No. 547, passed at the Regular Session of the Thirty-third Legislature of the State of Texas, and declaring an emergency." Tarrant county Road Law.

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass, and be not printed.

Woods, Chairman; Page, Carlock, Strickland.

(Floor Report)

Senate Chamber,  
Austin, Texas, March 7, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred

S. B. No. 382, A bill to be entitled

"An Act transferring the County of Panola from the 9th Supreme Judicial District of Texas to the 6th Supreme Judicial District of Texas, for all lawful purposes; repealing all laws in conflict therewith, and declaring an emergency."

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass, and be not printed.

Dorough, Chairman; Witt, Hall, Bailey.

(Floor Report)

Senate Chamber,  
Austin, Texas, March 7, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 525, A bill to be entitled "An Act creating the Tynan Independent School District in Bee, San Patricio and Live Oak counties, Texas, and providing for the election of a board of trustees to manage and control the public free schools within said district, naming the fiscal year as to taxes investing said district with all the powers, rights and duties of Independent school districts for free school purposes only, and declaring an emergency."

Have had the same under consideration, and recommend that it do pass, and be not printed.

ALDERDICE, Chairman.

Committee Room,  
Austin, Texas, March 7, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred

S. B. No. 325, A bill to be entitled "An Act to make it unlawful for any Civil Engineer, employed by the State of Texas, any county or municipality to draft or approve plans, calculate bids or advise in regard to construction of and cost of any kind of public improvements, to knowingly make a false report to said employer in regard to said work or bids; and declaring an emergency."

tion, and I am instructed to report it back to the Senate with the recommendation that it do pass, and that it be printed in the Journal and not in bill form.

SUITER, Chairman.

#### Enrolling Committee Reports.

Committee Room,

Austin, Texas, March 7, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 366, copy of which is hereto attached, and find it correctly enrolled, and have this day at 4:35 o'clock p. m., presented the same to the Governor for his approval.

SMITH, Chairman.

Committee Room,

Austin, Texas, March 7, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 224, copy of which is hereto attached, and find it correctly enrolled, and have this day at 4:35 o'clock p. m., presented the same to the Governor for his approval.

SMITH, Chairman.

Committee Room,

Austin, Texas, March 7, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 335, copy of which is hereto attached, and find it correctly enrolled, and have this day at 4:35 o'clock p. m., presented the same to the Governor for his approval.

SMITH, Chairman.

Committee Room,

Austin, Texas, March 7, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 220, copy of which is hereto attached, and find it correctly enrolled, and have this day at 4:35 o'clock p. m., presented the same to the Governor for his approval.

SMITH, Chairman.

Committee Room,

Austin, Texas, March 7, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Enrolled

Bills have carefully examined and compared Senate Bill No. 270, copy of which is hereto attached, and find it correctly enrolled, and have this day at 4:35 o'clock p. m., presented the same to the Governor for his approval.

SMITH, Chairman.

Committee Room,

Austin, Texas, March 7, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 293, copy of which is hereto attached, and find it correctly enrolled, and have this day at 1:45 o'clock a. m., presented the same to the Governor for his approval.

SMITH, Chairman.

Committee Room,

Austin, Texas, March 7, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Concurrent Resolution No. 31, copy of which is hereto attached, and find it correctly enrolled, and have this day at 4:35 o'clock p. m., presented same to the Governor for his approval.

SMITH, Chairman.

By Dean.

S. C. R. No. 31.

Whereas, there was delivered to the Honorable H. B. Terrell, Comptroller of the State of Texas, by his predecessor in office, the Honorable W. P. Lane, a trust fund amounting to the sum of Four Hundred Ninety-one and 35-100 (\$491.35) Dollars which has not been claimed and which has been for years deposited in an Austin bank; and

Whereas, the said H. B. Terrell, Comptroller, is desirous of depositing the said fund with the State Treasurer, if he should be directed to do so by the Legislature,

Therefore, Be it Resolved by the Senate of the Thirty-sixth Legislature, the House of Representatives concurring, that the said H. B. Terrell, Comptroller, be, and he is hereby authorized and directed to deposit the said trust fund with the Treasurer of this State to the credit of the general revenue.

Committee Room,

Austin, Texas, March 7, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Enrolled

Bills have carefully examined and compared Senate Bill No. 82, copy of which is hereto attached, and find it correctly enrolled, and have this day at 11:45 o'clock a. m. presented the same to the Governor for his approval.

SMITH, Chairman.

By McNealus. S. B. No. 82.

**A BILL  
To Be Entitled**

An Act for the formation of corporations to contract for, erect, or construct improvements or structures, and acquire, sell, or prepare materials used therein.

Be it Enacted by the Legislature of the State of Texas:

Section 1. That corporations may be created for the following purposes to-wit:

To contract for the erection, construction, or repair of any building, structure, or improvement, public or private, and erect, construct, or repair same, or any part thereof, and to acquire own, prepare for use, any materials for said purposes.

Committee Room,

Austin, Texas, March 7, 1919.

Hon. W. A. Johnson President of the the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 50, copy of which is hereto attached, and find it correctly enrolled, and have this day at 11:45 o'clock a. m., presented the same to the Governor for his approval.

SMITH, Chairman.

By Buchanan of Scurry. S. B. No. 50.

**A BILL  
To Be Entitled**

An Act to amend Article 3842 Revised Civil Statutes of 1911, relating to fees chargeable by the General Land Office of Texas, and declaring an emergency.

Be it Enacted By the Legislature of the State of Texas:

Section 1. Article 3842 of the Revised Civil Statutes of 1911, relating to fees chargeable by the General Land Office is hereby amended so as to read as follows:

Article 3842. The Commisisoner of the General Land Office is authorized and required to charge for the use of the State the following fees, to-wit:

**Filing Fees.**

Deed transferring one tract of land or a decree of court relating to one tract of land....	\$ .50
Each additional tract in a deed or decree.....	.25
Affidavit of ownership.....	.50
Original field notes.....	1.00
Transfer of mineral claims, permits, relinquishments, leases, contracts, etc.....	1.00
Certificates of facts covering one tract of land.....	1.00
Each additional tract.....	.50
Certificate of occupancy on the home section .....	1.00
Each additional tract shown in a certificate on the home tract..	.50
Each other certificate not otherwise provided for.....	.50

**Certified Copies.**

Certificate of the class of Toby Scrip .....	\$2.50
All other land certificates.....	1.00
Application for survey.....	1.00
Field notes .....	1.00
Mineral application.....	1.00
Mineral Permit or mineral lease..	2.00
Purchase application and obligation .....	1.25
Purchase application.....	1.00
Obligation of deferred payment on land .....	.50
File wrapper .....	1.00
Proof of occupancy.....	1.50
Deed, bond for title, power of attorney, decree of court or other similiar document.....	1.50
Patent .....	1.25
Affidavit of settlement, non-settlement and rebuttal affidavits, each .....	1.00
Other affidavits.....	1.00
Lease application or contract not exceeding five tracts.....	.75
Each additional tract add.....	.25
Letters and impressions of letters, one page.....	.50
Letters and impression of letters, more than one page.....	1.00
Extract of muster roll, traveling land board reports, clerks' returns relating to land certificates, patent delivery books, school land sales, records and books and other similiar records, each.....	2.00
For copy of any record, document or paper in the English language not otherwise provided for herein 20 cents for each	

100 words; provided that no charge shall be less than..... 1.00  
 Plain or certified copy of any other paper, document or record in any other language than the English, 40 cents for each 100 words; provided no charge shall be less than..... 1.00  
 Blue print, white print, or other cloth map of any county except lithograph ..... 3.00  
 Lithograph map..... .50  
 Plain or certified copy of a portion of a map or sketch or plat made by print or hand, and for a working sketch the charge shall be determined by the amount of material used and to be consumed at the rate of, per hour ..... 1.00  
 For examination of any filed papers, for each survey..... .50  
 When an examination of the records of the General Land Office, other than maps or filed papers is desired by one person or where search is necessary to compile information minimum fee to be charged of 50 cents, and if the examination is extended beyond thirty minutes an additional sum shall be charged at the rate of per hour ..... 1.00

Patent Fees.

Eighty acres or less.....\$3.00  
 Each additional 80 acres of fractional part thereof contained in a patent ..... 1.00

Section 2. The fact that many of the fees required by law to be collected in the Land Office are inadequate or not commensurate with the service required to be performed creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and the same is hereby suspended and this bill shall be effective from and after its passage, and it is so enacted.

Committee Room,

Austin, Texas, March 7, 1919.

Hon. W. A. Johnson President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 98, copy of which is hereto attached, and find it correctly enrolled, and have this day at 11:45 o'clock a. m., presented it to the Governor for his approval.

SMITH, Chairman.

By Buchanan of Scurry. S. B. No. 98.

A. BILL

To Be Entitled

An Act to amend Article 4859, Title 71, Chapter 7, relating to reports of local insurance associations, of the Revised Civil Statutes, 1911, of the State of Texas, so as to hereafter read as follows, and declaring an emergency.

Be it Enacted by the Legislature of the State of Texas:

Section 1. That Article 4859 of Title 71, Chapter 7, of the Revised Civil Statutes of the State of Texas be amended so that same shall hereafter read as follows:

Article 4859. The provisions of this chapter shall not apply to incorporated or unincorporated mutual relief or benefits, or burial associations, operating upon the assessment plan, whose business is confined to not more than one county in the State of Texas, or to a territory in two or more adjacent counties included within a radius of not more than 50 miles surrounding the city or town in which its principal office is located, which is designated in its charter and which at no time shall have a membership exceeding 2000 members which are hereby denominated local mutual aid associations, provided that such associations are in no manner directly or indirectly connected, federated or associated with any such association and do not directly or indirectly contribute to the expense or support of any other such association, or to the officers, promoters, or managers thereof and provided that no person or officer shall receive from said association any payment on account of organization or other expenses or salary who is not a bona fide resident of the county or area in which such association is domiciled. The association above mentioned shall annually, on or before March 1, file a statement with the Commissioner of Insurance and Banking, which shall be signed and sworn to by the president, secretary and treasurer, or the officer holding positions corresponding thereto. Such statement shall show whether the association has, during the preceding year, done any business outside of the county or area in which it is domiciled, and shall state whether or not said association is associated, federated or directly or indirectly connected with any other, and shall show what, if anything, has

been contributed during the preceding year by said association or the members, to any person or officer, or director thereof for salaries, commissions of promotion expenses, and the name and residence of the party or parties receiving the same. The Commissioner of Insurance and Banking may, at his option and it shall be his duty, if not satisfied with said statement, to demand other additional statements and examine the books, papers, and records of said association, either himself or by some other suitable person authorized by him. Should it appear to the Commissioner of Insurance and Banking that any such local aid association is not carrying on business as set forth in this article, and is not entitled to the exemption therein set forth, such association shall be subject to and comply with all provisions of this chapter as a fraternal beneficiary association. Every such local association claiming to be entitled to the benefit of the exemption created by this Article shall plainly state upon its certificates, applications and all advertising matter, in a conspicuous manner, that said association is a local mutual aid association, or same shall be deemed subject to all provisions of this chapter concerning fraternal beneficiary associations.

Section 2. That all laws and parts of laws in conflict herewith are hereby repealed.

Section 3. The fact that in many portions of the State the population is not sufficiently numerous to warrant the establishment of mutual insurance societies in the territory as same is now limited in area, creates an emergency and imperative public necessity requiring that the constitutional rule which provides that bills be read on three several days, be suspended, and same is hereby suspended for the purpose of prompt enactment of this bill.

Committee Room,  
Austin, Texas, March 7, 1919.

Hon. W. A. Johnson President of the  
the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 103, copy of which is hereto attached, and find it correctly enrolled, and have this day at 4:35 o'clock p. m., presented the same to the Governor for his approval.

SMITH, Chairman.

By Dean.

S. B. No. 103.

**A BILL**  
**To Be Entitled.**

An Act for the purpose of promoting the public school interest of rural schools and those of small towns, of aiding the people and providing adequate school facilities for the education of their children by the appropriation of Two Million Dollars each year, or so much thereof as may be necessary, for the next two fiscal years ending August 31, 1920, and August 31, 1921, respectively, by allowing the State Board of Education to aid such schools, and providing how such schools shall be located and school buildings constructed, furnished and maintained, and providing certain prerequisites for the granting of such aid, and providing that no school having over five hundred scholastics, exclusive of transfers, shall receive such aid; giving preference to all school districts in which the available school funds together with the local district tax will not maintain the schools six months in the year; and providing that such schools receiving such aid shall have a certain percentage of attendance, with exceptions; and providing that certain of said schools so receiving aid shall levy a local school tax of not less than fifty cents on the hundred dollars valuation, and giving the State Board of Education power to establish rules and regulations for the organization of such country schools and otherwise carrying out the purposes and intentions of this Act; and defining the powers of the State Board of Education in that connection; and providing for assistants to the State Superintendent, to be known as "rural school supervisors;" and providing for reports to be made to the State Board of Education; and providing for the manner of payment and disbursement of all money granted under the provisions of this Act; repealing all laws and parts of in conflict herewith, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. For the purpose of promoting the public school interests of rural schools and those of small

towns, and of aiding the people in providing adequate school facilities for the education of their children, \$2,000,000.00, or such part thereof as may be necessary, is hereby appropriated out of any money in the State Treasury not otherwise appropriated for the school year ending August 31, 1920, and \$2,000,000.00 or such part thereof as may be necessary, for the year ending August 31, 1921, to be used in accordance with the provisions of this Act in aiding rural schools and those of small towns.

Section 2. State aid under the provisions of this Act may be distributed in such a way as to assist all schools of not more than 500 scholastic enrollment to maintain the school for such length of term, not to exceed nine months, as may be desired by the district board of school trustees, the granting of such aid to be subject to the following conditions:

(1) A common school district receiving this aid must not contain less than nine square miles.

(2) A common school district or independent school district receiving this aid must have had in average attendance the preceding year at least twenty times as many scholastics as the number of teachers employed, and must maintain during the year in which aid is received, an average attendance of at least 75 per cent of the enrollment during the time that the school is in session, unless cause for such non-attendance, satisfactory to the State Board of Education can be shown.

(3) Any common or independent school district receiving this aid must make such heating and ventilating arrangements, provide such sanitary closets, and keep school premises in such condition as can be approved by the rural school inspector sent by the State Department of Education.

(4) No common school district or independent school district which refuses to conform to a plan of consolidation formulated by the county superintendent and approved by the county board of trustees and by the State Superintendent, shall receive aid from this fund for any school session following the school year in which such refusal is made.

School districts in sparsely settled communities where consolidation is impracticable, are to be excepted from this provision of the

Act; provided that the decision as to whether such consolidation is not advantageous shall rest with the county board of trustees and shall be approved by the State Superintendent.

It is expressly provided that in case of schools where compliance with the preceding conditions is impossible, or would work undue hardship, the State Superintendent, shall have power, with the approval of the State Board of Education, to grant funds to such schools.

(5) No common or independent school district which has received aid from this fund for one scholastic year, shall be granted such aid a second time unless it shall provide for the maintenance of its schools by voting a tax for maintenance of schools of fifty cents on the hundred dollars of property valuation; in no case shall the assessed valuation for the common school district be less than the valuation of the county assessor; and in no case shall the assessed valuation in towns be less than the assessed valuation of town property for other purposes.

Schools of not more than 500 scholastic enrollment, complying with the foregoing conditions, shall send to the State Superintendent, on blanks provided by the State Department of Education, a list of teachers employed in the school, with a statement as to the monthly salary of each teacher, it being shown on this blank that the trustees lack sufficient funds to maintain the school for the desired length of term. The State Superintendent of Public Instruction, with the approval of the State Board of Education may then grant to the school such an amount of this fund as may be necessary to maintain the school for the desired length of term; provided that this period be not longer than nine scholastic months; and provided that such aid be not granted in excess of an amount sufficient to pay the teachers the maximum salary permitted by State law to those holding certificates of the grades held by the teachers of the school district to which such aid is granted. Provided, all school districts meeting the requirements of this Act, and not having sufficient available school funds to maintain their school six months in the year, shall be given the preference in the distribution of this fund, until all the public schools in the State can be

maintained at least six months in the year.

Section 3. All applications for State aid under this Act shall be made upon the form published by the State Board of Education and furnished by the State Department of Education. Before any application is presented to the State Board of Education for its consideration, the State Superintendent shall make careful investigation regarding compliance with conditions, and his certificate that each district to which aid is granted, meets substantially the requirements of the law, shall be required by the Board before aid in any amount is granted.

Section 4. In addition, State aid to the amount of not more than \$500.00 for any one district may be granted, from the appropriation authorized by this Act, to school districts under the following conditions.

(1) Location. Each such school receiving this State aid shall be well located on a plot of ground not less than one acre in extent, properly drained and suitably laid out.

(2) School House. There shall be provided a suitable school house, erected in accordance with the school-house building law of Texas or meeting substantially the requirements thereof.

(3) Equipment. Each such school house shall be provided with necessary desks, seats, and blackboards; and with such library, books, maps, and globes as recommended in the State course of study, as in the opinion of the State Superintendent said school may be able to purchase.

(4) Teachers. Teachers employed in country or small town schools shall furnish to the State Superintendent satisfactory evidence of professional training to their credit, and all teachers must render efficient service of a high grade.

(5) Attendance. In order to receive State aid under these conditions, the school district must have a scholastic enrollment of not more than 500 scholastic enrollment, exclusive of transfers, and must maintain an attendance record during the year in which it receives such aid of not less than seventy-five per cent of the enrollment unless causes for such non-attendance satisfactory to the State Board of Education can be shown.

(6) Local Tax. The School dis-

trict must have levied and be collecting a local school tax for maintenance of not less than fifty cents on the hundred dollars valuation; provided that in no case shall the assessed valuation in rural districts be less than the valuation of the county assessor, and provided that in small town districts, in no case shall the property valuation for school purposes be less than that for any other taxation upon town property; provided that any school district which has not received aid for one year shall receive such aid for one time only even though no such tax has been voted by said district.

(7) Subjects. Each county school or small town school shall teach the common school subjects as prescribed by law.

Section 5. Such part of this fund as may not be expended under the preceding provisions of this Act may be granted to schools of not more than 500 scholastic enrollment, for the following purposes:

(1) Schools making provision for transportation of pupils to and from consolidated schools may be granted from this fund a sum equal to one-half of the total cost of transportation, provided that the provisions of the contract for said transportation be approved by the State Superintendent.

(2) State aid from this fund may be granted, in accordance with rules approved by the State Board of Education, for the purpose of providing for an annual increase of salary to teachers of rural schools and schools of small towns, who remain in the same position; provided (1) that such aid shall not exceed one-half of the amount of the annual increase paid by the school, (2) that such teachers shall furnish recommendations as to satisfactory work from their local boards, (3) that such aid shall not be granted for the increase of salaries of teachers who do not attend a summer school for at least two months not less frequently than one summer out of every three, and (4) that the maximum salary paid such teachers shall not exceed the average of the salary paid to teachers of similar acquirements and experience in the three largest cities of the State.

(3) Any school which acquires by purchase or by gift a library of a value of not less than \$20, consisting



of books approved as a school library by the regulations of the State Department of Education, may receive from this fund a sum not exceeding one-half the value of said library.

(4) Provided that State aid not exceeding \$500.00 for any one school may be granted under this section in any one year.

Section 6. General Power of State Board of Education. The State Board of Education shall be authorized and it shall be their duty to take such action and to make such rules and regulations, not inconsistent with the terms of this Act, as, in its opinion, may be necessary to carry out the provisions and intentions of this Act.

Section 7. Duties of Superintendent of Public Instruction. It shall be the duty of the State Superintendent of Public Instruction to go in person or to send one of the rural school supervisors authorized by this Act to assist the school communities who may desire the privileges of this Act in their efforts to meet the necessary requirements in order that they may participate in the distribution of the funds herein appropriated.

Before approving any application he shall make a thorough investigation in person or through his representative of the grounds, buildings, equipment and possibilities of each school applying for State aid by appropriation from the State Board of Education.

Section 8. Second Aid:—Before State aid shall be granted a second time to the same district, it shall be necessary that all reports as required of the school officials of said district shall have been received and approved; that the State Superintendent of Public Instruction or one of the rural school supervisors shall have visited said district and the State Superintendent of Public Instruction has advised the State Board of Education that in his judgment the school officials of such district have made diligent efforts to meet the requirements and standards as set forth in this Act, that the district receiving State aid has made satisfactory progress, under existing conditions, and that, in his opinion further aid would prove a good and desirable investment for the State in promoting the educational interests of the people of such district,

provided that no school shall be granted State aid a second time until all applications on file for first aid from schools entitled to aid under this Act shall have been acted upon.

Section 9. Warrants and Reports:—Warrants for all money granted under the provisions of this Act shall be transmitted by the State Superintendent of Public Instruction to treasurers or depositories of school districts to which State aid is granted in the same manner as warrants for State apportionment are now transmitted, and it shall be the duty of all treasurers or depositories to make annually itemized reports under oath to the State Superintendent of Public Instruction of the expenditure of all money granted under the provisions of this Act.

Section 10. Apportionment Privileges:—Country schools and small town schools shall be entitled to share in the distribution of State and county available school funds, and in all other school funds in the same manner as other school districts; and in case high school grades are maintained the community shall still be entitled to participate in the distribution of any State aid that may be extended by the Legislature of Texas for vocational or industrial purposes to high schools of the State, though it accept the provisions of this Act.

Section 11. The importance of this measure and the crowded condition of the calendar creates an emergency and imperative public necessity requiring the suspension of the Constitutional rule that bills be read on three several days and that this bill take effect and be in force from and after its passage, and it is so enacted.

Committee Room,  
Austin, Texas, March 7, 1919.  
Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Enrolled bills have carefully examined and compared Senate Bill No. 124, and find it correctly enrolled, and have this day at 9:15 o'clock a. m., presented the same to the Governor for his approval.

SMITH, Chairman.

By Dean.

S. B. No. 124.

A BILL

To be entitled.

An Act to provide the method of se-

lecting a special venire in counties other than those having the wheel system, for the selection of juries, by adding to Revised Code of Criminal Procedure a new article to be known as Article 660a, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

That the Revised Code of Criminal Procedure of the State of Texas be amended by adding thereto Article 660a, which shall read as follows:

"Whenever a special venire is ordered in counties not using the wheel system, and to which Article 660, Revised Code of Criminal Procedure of 1911 is not applicable, all the names of all the persons selected by the jury commissioners to do jury service for the term at which such venire is required shall be placed upon tickets of similar size and color of paper, and the tickets placed in a box and well shaken up; and from this box the clerk, in presence of the judge, in open court, shall draw the number of names required for such special venire, and shall prepare a list of such names in the order in which they are drawn from the box, and attach such list to the writ and deliver the same to the sheriff."

The fact that there is confusion and uncertainty arising from the omission of the provisions of this Act from the Revised Statutes of 1911, leaving it in doubt as to the manner in which special venires may be selected in counties not having the jury wheel system, creates an emergency and an imperative public necessity, requiring the suspension of the constitutional rule that bills be read on three several days, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Committee Room,

Austin, Texas, March 7, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 87, and find it correctly enrolled, and have this day at 9:15 o'clock a. m., presented the same to the Governor for his approval.

SMITH, Chairman.

By Bailey.

S. B. No. 87.

(By request.)

#### A BILL

#### To Be Entitled

An Act to amend Sections 1, 2 and 4 of an Act to provide for the printing, publication and sale of the reports of the decisions of the Supreme Court, Court of Criminal Appeals and the Courts of Civil Appeals of the State of Texas, Chapter 30, of the Acts of the Thirty-third Legislature, approved March 20, 1913, and also to amend Article 1572, of Chapter 12, and to repeal Article 1651 of Chapter 13 of the Revised Civil Statutes, A. D. 1911, concerning said reports, with a repealing clause, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Section 1 of the Act to provide for the printing, binding publication and sale of the reports of the decisions of the Supreme Court, Court of Criminal Appeals and Courts of Civil Appeals, Chapter 30, of the Acts of the Thirty-third Legislature, approved March 20, 1913, be and the same is hereby amended so as to hereafter read as follows:

Section 1. That the Board of Public Printing of this State, or such other board or State agency as may be created by law in place of said Board of Public Printing, is hereby authorized and it is made its duty, from time to time, for the purpose of the publication of the reports of the decisions of the Supreme Court and Court of Criminal Appeals of the State of Texas, to cause to be printed and bound the said decisions of said courts, in the form, size and manner as now provided by law, and for this purpose to invite bids not confined to residents of this State, upon proposals advertised by said board, or such other board or State agency, for such time and manner as may be fixed by said board, or other board or State agency, and to award the contract for such printing and binding to the lowest responsible bidder, and that said board, or such other board or State agency, shall have the right to reject any and all bids.

Section 2. That Section 2 of said Act is hereby so amended as to read hereafter as follows:

Section 2. That said board, or such other board or State agency, is hereby given full power and discretion to fix all the conditions, provisions and details of such contract, concerning the printing, binding, publication and sale of such reports and to demand such security from the contractor as will secure the performance of such contract and the interest of the State of Texas; provided that such contract shall be for a term of six years' duration at a time. Said contract may also provide for the printing and binding of delayed manuscripts of said reports; and said Board of Printing, or such other board or State agency, may also provide, from time to time, by separate contracts under similar conditions, for the reprint of said reports, or volumes thereof; and said board, or such other board or State agency, may also, from time to time, provide by separate contracts, under similar conditions, for renewal contracts in the event of forfeiture or for other reasons; and to facilitate the prompt printing and binding of said reports in the future; the clerks of said courts shall provide the reporters of said courts with manifold copies of the opinions of said courts as the said courts rendering the same shall direct to be published, duly certified together with a record of the cases, as soon as said opinions become final.

Section 3. The maximum price of such reports furnished by the contractor to the legal profession and the public of the State shall not exceed two dollars per volume, and the maximum price by the State for such volume shall not exceed four dollars per volume, and the number of volumes to be delivered to the State shall not exceed two hundred and fifty of each volume of said reports for the use of the State; and said contract shall also provide that the contractor shall keep on hand a sufficient number of volumes of said reports, or make such arrangements as to enable the legal profession and the public in this State to obtain from such contractor such reports at the price fixed in such contract. Said board, or such other board or State agency, shall also determine whether electrotype or stereotype plates of said reports are to be made, and to regulate the use thereof, but the ownership of such plates, together

with the copyright of said reports, shall remain in the State of Texas.

Section 4. That Section 4 of said Act be so amended as hereafter to read as follows:

Section 4. That Article 1651 Chapter 13, of the Revised Civil Statutes of the State of Texas, A. D. 1911 and all other laws or parts of laws in conflict with this Act be, and the same are, hereby repealed.

Section 5. That Article 1572 of Chapter 12, of the Revised Civil Statutes of the State of Texas, A. D. 1911, shall be, and is hereby, so amended as that hereafter it shall read as follows:

Section 5. Article 1572 (919); Appointment and Removal of Reporters: The Judges of the Supreme Court, after their election to each term of office, shall appoint some person or persons learned in the law, being a licensed attorney, to report the decisions of the Supreme Court, who shall be removable at the pleasure of the court, and who shall be paid for the services required three thousand dollars per annum, payable monthly on the certificate of the Chief Justice.

Section 6. The fact that the present law now provides for the publication of the decisions of the Courts of Civil Appeals by the Board of Public Printing, which is no longer feasible and that a new contract for the publication of the decisions of the Supreme Court and of the Court of Criminal Appeals must soon be made, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and such rule is therefore hereby suspended, and that this Act shall take effect and be in force from and after its passage, and it is so enacted.

#### FORTIETH DAY.

Senate Chamber,  
Austin, Texas, March 10, 1919.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Johnson.

The roll was called, a quorum being present, the following Senators answering to their names: